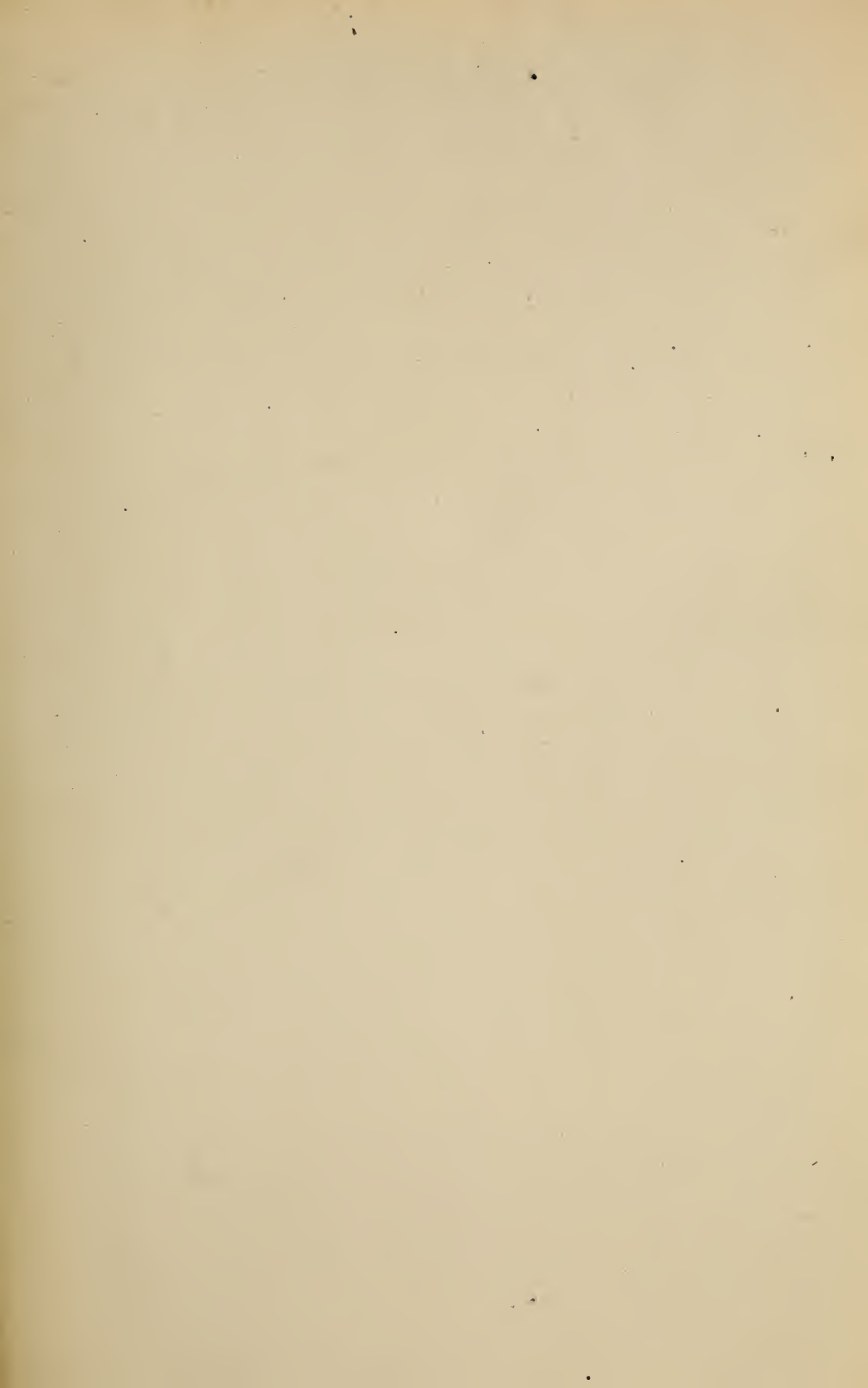


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ACTS
OF THE
PARLIAMENT
OF THE
DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE

THIRD AND FOURTH YEARS OF THE REIGN OF HIS MAJESTY

KING GEORGE V.

BEING THE

SECOND SESSION OF THE TWELFTH PARLIAMENT

*Begun and holden at Ottawa, on the Twenty-first day of November, 1912
and closed by Prorogation on the Sixth day of June, 1913*



HIS ROYAL HIGHNESS

THE DUKE OF CONNAUGHT AND STRATHEARN

GOVERNOR GENERAL

VOL. II.
LOCAL AND PRIVATE ACTS

OTTAWA
PRINTED BY CHARLES HENRY PARMELEE
LAW PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1913



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3-4 GEORGE V.

CHAP. 58.

An Act respecting the Alberta Central Railway Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—
1901, c. 44;
1903, c. 75;
1907, c. 56;
1909, c. 39;
1911, c. 30.

1. The Alberta Central Railway Company may commence the construction within two years after the passing of this Act and may complete and put in operation within five years after the passing of this Act the following lines of railway which it has been authorized to construct by chapter 75 of the statutes of 1903, chapter 39 of the statutes of 1909, and chapter 30 of the statutes of 1911:—
Time for construction of railways extended.

(a) From a point in township thirty-eight, range twenty-three west of the fourth meridian in an easterly direction to a point in township thirty-nine, range eleven, west of the fourth meridian, in the province of Alberta;

(b) From its westerly terminus near Rocky Mountain House to a point on the Grand Trunk Pacific Railway in or near the Yellowhead Pass;

(c) From its easterly terminus near the elbow of the Battle River to a point at or near Saskatoon or Warman;

(d) From a point on its main line east of Red Deer southerly and easterly to a point at, in or near Moose Jaw;

(e) From a point at or near Saskatoon in a general northeasterly and northerly direction to a point at or near Fort Churchill on Hudson Bay, with a branch line from some point on such railway at or near the Pas to a point at or near Port Nelson on Hudson Bay;

(f) From a point at or near Moose Jaw to a point on the international boundary in township one, range sixteen, west of the second meridian;

(g) From a point on its authorized line between the Red Deer River and Cygnet Lake, in a general northeasterly direction to a point at or near Blackfalds and thence to Lacombe;

(h) Three branch lines of a length of thirty miles each from its already authorized line of railway into the big Horn Range between the North Saskatchewan and Brazeau rivers, along or near the Wapiabi Creek, Smith Creek, and Chungo or Trail Creek respectively; and two branch lines, each twenty-five miles in length, northerly and easterly from, at or near the north end of the Big Horn range of mountains through ranges twenty, twenty-one and twenty-two, townships forty-three, forty-four, forty-five and forty-six, west of the fifth principal meridian; and northeasterly from the north end of the Big Horn range of mountains along the Brazeau River to, at or near the mouth of the north branch of the Brazeau River, thence northerly to and up the Pembina River; near where its already authorized line crosses the Brazeau River.

Limitation.

2. If the said railways are not so commenced, or are not completed and put in operation within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railways as then remains uncompleted.

1911, c. 30,
s. 10
repealed.

2. Section 10 of chapter 30 of the statutes of 1911 is repealed.

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3-4 GEORGE V.

CHAP. 59.

An Act respecting the Alberta Interurban Railway Company.

[Assented to 16th May, 1913.]

WHEREAS, by section 2 of chapter 60 of the statutes of 1912, the provisional directors of the Alberta Interurban Railway Company were authorized for the purpose of commencing the construction of any one of the sections of their railway as defined by section 7 of chapter 31 of the statutes of 1911, so soon as twenty-five per cent of the shares to the extent of ten thousand dollars per mile of the mileage of the said section first proposed to be constructed had been subscribed, and ten per cent paid thereon into one of the chartered banks of Canada, to call a meeting of the subscribers and organize the company in the manner provided by *The Railway Act*; and whereas at a meeting of the shareholders subsequently held on the sixteenth day of April, A.D. 1912, the company was organized and directors elected, and at the time of the said meeting the necessary subscriptions for shares had been received and the necessary amount had been paid thereon into a chartered bank of Canada; and whereas doubt has arisen respecting the validity of such organization and election of directors and consequently of the acts of the shareholders and directors in and about such organization and subsequently thereto and in pursuance thereof, and the company by its reputed directors and certain of its shareholders have by their petition prayed that it be enacted as is hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1911, c. 31;
1912, c. 60.

R.S., c. 37.

Validation of
certain
proceedings,
appoint-
ments, acts,
etc., etc.

1. The proceedings of the said meeting of the Alberta Interurban Railway Company held on the sixteenth day of April, A.D. 1912, are hereby validated, notwithstanding any defect, whether in the calling of the same or otherwise; and all directors appointed at such meeting are hereby declared to be the directors of the company; and the company is hereby declared to be properly organized; and all acts of the said directors which would have been valid had the said directors been properly appointed, and all acts of the shareholders of the company in general meeting which would have been valid had the said meeting been properly called and the company properly organized thereat, are hereby declared to be valid and binding on the company and of the same effect to all intents and purposes as if all such had been valid from their inception.

Time for
construction
of railway
extended.

2. The Alberta Interurban Railway Company may commence the construction of its railway authorized by chapter 31 of the statutes of 1911, and expend (including expenditure already made) an amount equal to fifteen per cent of its capital stock thereon, within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 60.

An Act respecting the Alberta Railway and Irrigation Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1900, c. 79;
1903, c. 187;
1904, c. 43;
1905, c. 52;
1911, c. 32;
1912, c. 62.

1. The Alberta Railway and Irrigation Company, hereinafter called "the Company," may commence the construction within two years after the passing of this Act, and may complete and put in operation within five years after the passing of this Act, the following lines of railway, which it has been authorized to construct by chapter 79 of the statutes of 1900, by chapter 187 of the statutes of 1903, and by chapter 32 of the statutes of 1911, namely:—

Time for construction of railways extended.

(a) From a point between Lethbridge and Stirling to some point on the international boundary between ranges twenty-four and thirty, west of the fourth meridian;

(b) From Cardston to a point in range one, west of the fifth meridian;

(c) From a point at or near Cardston, thence westerly to a point in or near the town of Pincher Creek, and thence to a point on the line of the Canadian Pacific Railway between range two, west of the fifth meridian and range twenty-seven west of the fourth meridian;

(d) From Stirling easterly to a point in range four, west of the fourth meridian between the line of the Canadian Pacific Railway and the international boundary.

2. If the said railways are not so commenced or are not completed and put in operation within the said periods respectively

Limitation.

spectively the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railways as then remains uncompleted.

Electric
power.

2. In so far as the Company has the right to acquire electric or other power or energy which may be transmitted and delivered to any place in the municipalities through which the railway or works have been constructed, and to receive, transform, transmit, distribute and supply such electric power or energy in any form and to dispose of the surplus thereof and to collect rates and charges therefor, the Company may, subject to the provisions of section 247 of *The Railway Act*, continue to so acquire such electric power or energy, but not by expropriation; but no such rate or charge shall be demanded or taken for such electric power or energy until the same has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Rates and
charges.

Consent of
municipali-
ties for
telegraph
and
telephone
lines upon
highways,
etc.

3. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

R.S., c. 126.

Consent of
municipali-
ties for
railway on
highways,
etc.

4. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.



3-4 GEORGE V.

CHAP. 61.

An Act respecting the Alberta-Saskatchewan Life Insurance Company.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1911, c. 33.

1. Notwithstanding anything in section 78 of *The Insurance Act, 1910*, or in the Act, chapter 33 of the statutes of 1911, incorporating the Alberta-Saskatchewan Life Insurance Company, the said chapter shall be deemed not to have expired and ceased to be in force after the third day of April, 1913, but to have continued and to be in force, for all purposes thereof whatsoever, until the fourth day of April, 1914; and the Minister of Finance may, at any time not later than the third day of April, 1914, and subject to all other provisions of *The Insurance Act, 1910*, grant to that company the license necessary for carrying on business.

Extension of
time for
obtaining
license.
1910, c. 32,
s. 78.

2. If the company has not obtained the said license before the fourth day of April, 1914, the said chapter 33 shall then expire and cease to be in force thereafter, except for the sole purpose of winding up the company's business, but otherwise shall remain in full force and effect for all purposes thereof whatsoever.

Effect of
license.



3-4 GEORGE V.

CHAP. 62.

An Act respecting the Algoma Eastern Railway Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1900, c. 64;
1901, c. 74;
1902, c. 72;
1903, c. 148;
1905, c. 120;
1907, c. 106;
1910, c. 122;
1911, c. 111;
1912, c. 63.

1. The time limited for completing that part of the railway of the Algoma Eastern Railway Company (hereinafter called "the Company") described in section 7 of chapter 64 of the statutes of 1900, which lies between Sudbury and Little Current, is extended for two years from the passing of this Act, and if the said part of the said railway is not completed before the said date the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said part of the said railway as then remains uncompleted.

Extension of time for construction of portion of railway.

2. Paragraph (c) of section 8 of chapter 64 of the statutes of 1900, and section 9 of the said Act, are repealed.

1900, c. 64 amended.

3. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor, and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any

Telegraph and telephone lines.

companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, any such companies.

Tolls and charges. 2. No toll or charge shall be demanded or taken for the transmission of any messages or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

R.S., c. 126. 3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with *The Railway Act*, shall apply to the telegraphic business of the Company.

Transmission and delivery of power and electricity. 4. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Consent of municipalities required for telegraph and telephone lines upon highways, etc. 5. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality without the consent, expressed by by-law, of such municipality.

1911, c. 111 amended. 6. Section 2 of chapter 111 of the statutes of 1911 is hereby repealed.



3-4 GEORGE V.

CHAP. 63.

An Act for the relief of Frances Lagora Anderson.

[Assented to 2nd April, 1913.]

WHEREAS Frances Lagora Anderson, presently residing Preamble.
at the city of Toronto, in the province of Ontario, wife
of Daniel Anderson, of the said city of Toronto, has by her
petition alleged, in effect, that they were lawfully married
on the twelfth day of January, A.D. 1901, at the said city
of Toronto, she then being Frances Lagora Tinsley, spinster;
that the legal domicile of the said Daniel Anderson was
then and is now in Canada; that at the city of Montreal,
in the province of Quebec, in or about the beginning of the
year 1908, he committed adultery with one Bertha Adams;
that she has not connived at nor condoned the said adultery;
that there has been no collusion, directly or indirectly,
between him and her in the proceedings for divorce; and
whereas by her petition she has prayed for the passing of
an Act dissolving her said marriage, authorizing her to
marry again, and affording her such other relief as is deemed
meet; and whereas the said allegations have been proved,
and it is expedient that the prayer of her petition be granted:
Therefore His Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada, enacts
as follows:—

1. The said marriage between Frances Lagora Tinsley and Daniel Anderson, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said Frances Lagora Anderson may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Daniel Anderson had not been solemnized.

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most Excellent Majesty.



3-4 GEORGE V.

CHAP. 64.

An Act to incorporate the Athabasca and Grande Prairie Railway Company.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. B. Isenberg, of Honolulu, Hawaiian Islands, capitalist, R. Hoppe, M.D., of Oakland, in the state of California, capitalist, Oscar William Bishopric, of the city of Edmonton, in the province of Alberta, insurance broker, George Carl Hoyt, of the said city of Edmonton, lawyer, and Hugh Campbell Anderson, of the said city of Edmonton, accountant, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Athabasca and Grande Prairie Railway Company" hereinafter called "the Company." Incorporation.
Corporate name.

2. The undertaking of the Company is hereby declared Declaratory.
to be a work for the general advantage of Canada.

3. The persons named in section 1 of this Act are hereby constituted provisional directors of the Company. Provisional directors.

4. The capital stock of the Company shall be one million five hundred thousand dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.
Calls.

Issue of
preference
stock.

5. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock, and preference stock so issued shall have such preference and priority, as respects dividends or otherwise, over ordinary stock as is declared by such resolution.

Priority.

Status of
holders.

R.S. c. 37.

2. Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference and priority provided by this section, possess the rights and be subject to the liabilities of such shareholders.

Head
office.

6. The head office of the Company shall be at the city of Edmonton, in the province of Alberta.

Annual
meeting.

7. The annual meeting of the shareholders shall be held on the second Tuesday in September.

Directors.

8. The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

Line of
railway
authorized.

9. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from some point at or near the junction of the Solomon River with the Athabasca River in the province of Alberta in a northwesterly direction to a point at or near the junction of the Smoky River with the Muskeg River in the province of Alberta, thence by the most feasible route in a northerly direction to Dunvegan in the province of Alberta passing through Grande Prairie at a point on the westerly side of Bear Lake.

Consent of
municipalities.

10. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon the terms to be agreed upon with such municipality.

Telegraphs
and
telephones.
R.S., c. 37.

11. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls

tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of *The Railway Act*, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, any such companies.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges. Tolls and charges.
R.S., c. 126.

3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with *The Railway Act*, or with this Act, shall apply to the telegraphic business of the Company. R.S., c. 37.

12. The securities issued by the Company shall not exceed forty thousand dollars per mile of the railway; and may be issued only in proportion to the length of railway constructed or under contract to be constructed. Issue of securities.

13. In addition to the securities authorized by section 12 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made. Issue of securities for purposes other than railway.
Limitation.

14. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers, and charge wharfage and other dues for the use of any such property. Vessels.
Wharfs, docks, etc.
Warehousemen and wharfingers.

15. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric Acquisition, transmission and delivery of electric and other power.

R.S., c. 37.

or other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway has been constructed; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Consent of municipalities required for telegraph and telephone lines upon highways, etc.

R.S., c. 126.

16. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Agreements with other companies.

17. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Grand Trunk Pacific Railway Company, the Canadian Pacific Railway Company, the Canadian Northern Railway Company, the Edmonton, Dunvegan and British Columbia Railway Company, or any of them.

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3-4 GEORGE V.

CHAP. 65.

An Act respecting the Athabaska Northern Railway Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1905, c. 57;
1909, c. 46;
1911, c. 36.

1. The Athabaska Northern Railway Company may commence the construction of its railway, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete its railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation within the said periods, respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Extension of time for construction of railway.

2. Chapter 36 of the statutes of 1911 is repealed.

1911, c. 36
repealed

3. Sections 10 and 11 of chapter 57 of the statutes of 1905 are repealed.

1905, c. 57
amended.

4. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and other power.

Transmission and delivery of electric and other power.

other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Telegraphs
and tele-
phones.

5. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers and may connect its own lines with the lines of, or may lease its own lines to, any such companies.

Tolls and
charges.

2. No toll or charge shall be demanded or taken for the transmission of any such message or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

R.S., c. 126.

3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with *The Railway Act*, shall apply to the telegraphic business of the Company.

Consent of
municipalities
for telegraph
and telephone
lines, etc.,
upon high-
ways, etc.

6. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Consent of
municipali-
ties for
railway on
highways,
etc.

7. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality

municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 66.

An Act for the relief of Sarah Lillian Attwood.

[Assented to 6th June, 1913.]

WHEREAS Sarah Lillian Attwood, presently residing Preamble.
at Birtle, in the province of Manitoba, wife of Frederick Spencer Attwood, presently of the city of Minneapolis, in the state of Minnesota, one of the United States of America, has by her petition alleged, in effect, that they were lawfully married on the twenty-second day of October, A.D. 1902, at Birtle aforesaid, she then being Sarah Lillian Seale, spinster; that the legal domicile of the said Frederick Spencer Attwood was then and is now in Canada; that at the city of Winnipeg, in the province of Manitoba, in the year 1904, he deserted her; that on the twenty-seventh day of January, A.D. 1906, at Brookings, in the state of North Dakota, one of the United States of America, he went through a form of marriage with one Mabel M. Smalley; that since the last mentioned date he has lived as man with wife with the said Mabel M. Smalley and has thereby committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage
dissolved.

1. The said marriage between Sarah Lillian Seale, and Frederick Spencer Attwood, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to
marry again.

2. The said Sarah Lillian Seale may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Frederick Spencer Attwood had not been solemnized.

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3-4 GEORGE V.

CHAP. 67.

An Act respecting certain patents of Otto R. Barnett.

[Assented to 6th June, 1913.]

WHEREAS Otto R. Barnett, of the city of Chicago, in the state of Michigan, one of the United States of America, has by his petition represented that he is the holder of patents numbers seventy-nine thousand eight hundred and two, and eighty-four thousand five hundred and ninety-four, dated respectively the twenty-fourth day of March, one thousand nine hundred and three, and the twenty-ninth day of December, one thousand nine hundred and three, issued under the seal of the Patent Office, for improvements in railway railstays, and that the said patents have expired by reason of the non-payment of further fees for the second and third terms thereof as required by *The Patent Act*, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

R.S., c. 69,
s. 23.

1. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the Commissioner of Patents may receive from the holder of the said patents an application for a certificate of payment of further fees and the usual fees for the second and third terms of the said patents, and may grant and issue to the said holder certificates of payment of further fees, provided for by *The Patent Act*, extending the term of duration of the said patents in as full and ample a manner as if the application therefor had been duly made within the first six years from the date of issue of the said patents.

Extension of
time for
payment of
fees.

R.S., c. 69.

Extension of
duration of
patents.

2. If any person has in the periods between the expiry of six years from the respective dates of the said patents, and

Saving of
rights
acquired.

and the twenty-sixth day of April, one thousand nine hundred and thirteen, commenced to construct, manufacture, use or sell in Canada, any invention covered by the said patents, such person may continue to construct, manufacture, use or sell the said invention in as full and ample a manner as if this Act had not been passed.

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3-4 GEORGE V.

CHAP. 68.

An Act to incorporate Beaver Fire Insurance Company.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. André Gouzee, manager, William Henry Cross, cap- Incorporation.
italist, John Henry Munson, barrister, Ernest Bickerdike
Eadie, accountant, and Robert Siderfin, clerk, all of the
city of Winnipeg, in the province of Manitoba, together
with such persons as become shareholders in the company,
are hereby incorporated under the name of "Beaver Fire Corporate
Insurance Company," hereinafter called "the Company." name.

2. The persons named in section 1 of this Act shall be Provisional
the provisional directors of the Company. directors.

3. The capital stock of the Company shall be one Capital.
million dollars.

4. The amount to be subscribed before the general Subscription
meeting for the election of directors is called shall be three before
hundred thousand dollars. general
meeting.

5. The head office of the Company shall be in the city Head office.
of Winnipeg, in the province of Manitoba.

6. The Company may make contracts of fire insurance, Classes of
cyclone or tornado insurance, sprinkler leakage insurance, business
in connection with fire contracts made by the Company, authorized.
weather insurance and hail insurance.

Deposit
before
commence-
ment of fire
business.

7. The Company shall not commence the business of fire insurance until three hundred thousand dollars of its capital stock have been subscribed and one hundred thousand dollars paid thereon.

Deposit for
all classes.

2. The Company shall not transact all the classes of insurance authorized by this Act until at least four hundred thousand dollars of its capital stock have been subscribed, and at least two hundred and fifty thousand dollars have been paid thereon.

Additional
payments.

3. In addition to the several sums required to be paid upon capital stock as hereinbefore provided, a further sum of seventy-five thousand dollars shall be paid thereon within five years after the issue of a license to the Company, in such manner that at no time within the said five years shall the portion which may have been paid be less than the amount which would have been paid by an annual payment of fifteen thousand dollars.

1910. c. 32
to apply.

8. *The Insurance Act, 1910*, shall apply to the Company.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 69.

An Act respecting a patent of George Frederick Bishopric.

[Assented to 7th March, 1913.]

WHEREAS George Frederick Bishopric of the city of Preamble.
Ottawa, in the county of Carleton in the province of
Ontario, has by his petition represented that he is the owner of
a patent number ninety-eight thousand four hundred and
eight, dated the tenth day of April, one thousand nine hun-
dred and six, issued under the seal of the Patent Office for
new and useful improvements in packing cases, and has
prayed that it be enacted as hereinafter set forth, and it is
expedient to grant the prayer of the said petition: Therefore
His Majesty, by and with the advice and consent of the
Senate and House of Commons of Canada, enacts as follows:—

1. Notwithstanding anything in *The Patent Act*, or in the
patent mentioned in the preamble, the Commissioner of
Patents may receive from the holder of the said patent an
application for a certificate of payment of further fees, and
the usual fees for the second and third terms of the said
patent, and may grant and issue to said holder a certificate
of payment of further fees, provided for by *The Patent Act*,
extending the term of duration of said patent in as full and
ample a manner as if the application therefor had been duly
made within the first six years from the date of issue of the
said patent. Commissioner of Patents may receive fees and extend duration of patent. R.S., c. 69.

2. If any person other than any licensee has, in the period
between the expiry of six years from the date of said patent
and the twelfth day of October, one thousand nine hundred
and twelve, commenced to manufacture, use or sell in
Canada the invention covered by the said patent, such
person Certain rights saved.

person may continue to manufacture, use or sell such invention in as full and ample a manner as if this Act had not been passed.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 70.

An Act for the relief of Archie Blaustein.

[Assented to 6th June, 1913.]

WHEREAS Archie Blaustein, of the city of Montreal, in Preamble.
the province of Quebec, manufacturer's agent, has by his petition alleged, in effect, that on the seventh day of September, A.D. 1902, at the said city of Montreal, he was lawfully married to Minnie Rafaelovitch; that she was then of the said city of Montreal, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Montreal, in the months of September and December, A.D. 1907, she committed adultery with persons whose names are unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Archie Blaustein and Minnie Rafaelovitch, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

2. The said Archie Blaustein may at any time hereafter marry any woman he might lawfully marry if the said Right to marry again.
marriage

marriage with the said Minnie Rafaelovitch had not been solemnized.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 71.

An Act respecting the Brantford and Hamilton Electric Railway Company.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1904, c. 50.

1. Subsection 1 of section 7 of chapter 50 of the statutes of 1904, intituled *An Act to incorporate the Brantford and Hamilton Electric Railway Company*, is hereby amended by adding thereto the following words:—"and from a point at or near Langford in the township of Brantford in the county of Brant, thence through the townships of Ancaster, Beverly, South Dumfries and North Dumfries to a point in or near the city of Galt."

Power to construct additional line of railway.

2. The said Company may, within two years after the passing of this Act, commence the construction of the railway authorized by this Act, and may, within five years after the passing of this Act, complete the said railway and put it in operation; and if, within the said periods respectively, the said railway is not commenced or is not completed and put in operation, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Limitation of time for construction.

3. In so far as the said Company has the right to acquire electric or other power or energy which may be transmitted and

Transmission and delivery of power and electricity.

and delivered to any place in the municipalities through which the railway has been constructed, and to receive, transform, transmit, distribute and supply such electric power or energy in any form and to dispose of the surplus thereof and to collect rates and charges therefor, the said Company may, subject to the provisions of section 247 of *The Railway Act*, continue to acquire such electric power or energy, but not by expropriation; but no such rate or charge shall be demanded or taken for such electric power or energy until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Consent of
municipal-
ities.

4. Nothing in this Act shall authorize the said Company to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Issue of
securities.

5. The securities issued by the said Company on the line of railway authorized by section 1 of this Act shall not exceed thirty thousand dollars per mile of the said railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 72.

An Act respecting Brazilian Traction Light and Power Company, Limited.

[Assented to 7th March, 1913.]

WHEREAS Brazilian Traction Light and Power Company, Limited, has by its petition represented that it is incorporated under *The Companies Act*, being chapter 79 of the Revised Statutes, 1906, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
R.S. c. 79.

Canada
Gazette,
July 13, 1912.

1. Subject to the laws in force in the Republic of Brazil and with such legislative, governmental, municipal or other authority, concession, license or consent as is necessary, the Brazilian Traction Light and Power Company, Limited, hereinafter called "the Company," may, within the Republic of Brazil, survey, lay out, construct, complete, equip, maintain, and operate, and extend, remove, and change as required, double or single iron or steel railways and branches, side tracks, turnouts, and appurtenances and tramways for the passage of cars, carriages and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased or otherwise acquired by the Company; also telegraph and telephone lines and works in connection therewith; and allow the use of the said railways and other works by lease, license or otherwise for reward; and take, transmit, and carry, for reward, telegrams, messages, passengers and freight, including mails, express and other freight upon or by means thereof, by steam, pneumatic, electric or other power, or by a combination of them or

Powers of
Company in
Republic of
Brazil.

Railways.

Tramways.

Telegraphs.
Telephones.

Acquisition
of properties
of other
companies.

any of them; and also may there acquire, by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and operate, for reward, any existing or future lines of railway, tramway, telegraph or telephone; and for all or any of the purposes aforesaid, the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Issue of
share
warrant.

2. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of
share
warrant.

3. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender
and can-
cellation
entitle to
entry as
shareholder.

4. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled: Provided, however, that such cancellation and entry of name as a shareholder shall be made within sixty days.

Liability of
Company for
entry
without
cancellation.
Proviso.

To what
extent
bearer is
to be deemed
shareholder.

5. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of *The Companies Act*, either to the full extent, or for such purposes as is prescribed by the directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Warrant
will not
qualify
bearer as a
director.

Particulars
to be entered
in register.

6. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books, the name of the shareholder, then entered therein as holding such share, or shares, as if he had ceased to be a shareholder, and shall enter in the register the following particulars:—

(a) the fact of the issue of the warrant;

(b) a statement of the share, or shares, included in the warrant;

(c) the date of the issue of the warrant;

and, until the warrant is surrendered, the above particulars shall be deemed to be the particulars which are required, by sections 89 and 90 of *The Companies Act*, to be entered in the books of the Company in respect of such share, or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

Date of
surrender
to be
entered.

7. The directors may determine and vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant, or coupon, may be issued in the place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings, and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force, whether made before or after the issue of such warrant.

Directors
may vary
conditions
of issue.



3-4 GEORGE V.

CHAP. 73.

An Act for the relief of Isabella Lee Brewster.

[Assented to 2nd April, 1913.]

WHEREAS Isabella Lee Brewster, presently residing at Preamble.
the city of Calgary, in the province of Alberta, wife of
William Andrew Brewster, of the village of Belton, in the State
of Montana, one of the United States of America, has by her
petition alleged, in effect, that they were lawfully married on
the twenty-sixth day of December, A.D. 1908, at the town of
Maple Creek, in the province of Saskatchewan, she then being
Isabella Lee Johnston, spinster; that the legal domicile of
the said William Andrew Brewster was then and is now in
Canada; that on or about the first day of July, A.D. 1909,
he deserted her; that subsequently at the village of Belton,
in the state of Montana, one of the United States of America,
he lived as man with wife and committed adultery with one
Sylvia Alberta Froste, and was so living there and committing
adultery on or about the twenty-fourth day of September,
A.D. 1912; that she has not connived at nor condoned the
said adultery; that there has been no collusion, directly
or indirectly, between him and her in the proceedings for
divorce; and whereas by her petition she has prayed for
the passing of an Act dissolving her said marriage, authoriz-
ing her to marry again, and affording her such other relief
as is deemed meet; and whereas the said allegations have
been proved, and it is expedient that the prayer of her
petition be granted: Therefore His Majesty, by and with
the advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1. The said marriage between Isabella Lee Johnston Marriage dissolved.
and William Andrew Brewster, her husband, is hereby
dissolved, and shall be henceforth null and void to all
intents and purposes whatsoever.

Right to
marry again. **2.** The said Isabella Lee Johnston may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William Andrew Brewster had not been solemnized.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 74.

An Act respecting the British Columbia Southern Railway Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1903, c. 87;
1904, c. 52;
1906, c. 66;
1908, c. 87;
1909, c. 54;
1911, c. 46.

1. The British Columbia Southern Railway Company, hereinafter called "the Company," may commence the construction of the extension of its railway to the forty-ninth parallel and the Tobacco Plains, and the railway from the main line at a point about thirty-six miles west of the eastern boundary of British Columbia, authorized by chapter 55 of the statutes of 1899, and the western section of its railway, and the branches to Nelson and Martin Creek as described in section 1 of chapter 52 of the statutes of 1900, and the branch from Michel to Kananaskis as described in section 1 of chapter 54 of the statutes of 1909, within two years after the passing of this Act, and may complete the said railways and put them in operation within five years after the passing of this Act; and if the said railways are not so commenced or are not completed and put in operation within the said periods respectively the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railways as then remains uncompleted.

Time for construction of railways extended.
1899, c. 55;
1900, c. 52;
1909, c. 54.

2. Section 1 of chapter 46 of the statutes of 1911 is repealed.

1911, c. 46 amended.

Electric works.

B. C., 1894, c. 53, s. 12.

3. The exercise of the powers conferred upon the Company under the provisions of paragraph (c) of section 12 of chapter 53 of the statutes of 1894 of British Columbia shall be subject to the provisions of section 247 of *The Railway Act* and of sections 4 and 5 of this Act.

Transmission and delivery of power and electricity.

R. S., c. 37.

4. For the purposes of its undertaking and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and other power or energy, and transmit and deliver the same to any place in the district through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Consent of municipalities for telegraph and telephone lines upon highways, etc.

R. S., c. 126.

5. Nothing in the said Act of British Columbia, or in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Consent of municipalities for railway upon highways, etc.

6. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over the said highway, street or other public place, and upon terms to be agreed upon with such municipality.



3-4 GEORGE V.

CHAP. 75.

An Act respecting the British Columbia and White River Railway Company.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore 1911, c. 45.
His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The British Columbia and White River Railway Company may commence the construction of its railway authorized by chapter 45 of the statutes of 1911, and expend (including expenditure already made) an amount equal to fifteen per cent of its capital stock thereon, within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation within the said periods respectively, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted. Time for construction of railway extended.

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3-4 GEORGE V.

CHAP. 76.

An Act to incorporate the British North-Western Mortgage Company.

[Assented to 10th April, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Edward Brown, broker; Sir William Whyte, K. B., Incorporation.
director of the Canadian Pacific Railway Company; Arthur Wickson, retired banker; Charles William Nassau Kennedy, financial agent; David Edward Williams, wholesale merchant; George F. Stephens, manufacturer; George Munro, bank superintendent; Kenneth McKenzie, wholesale merchant; and H. Bruce Gordon, wholesale merchant; all of the city of Winnipeg, in the province of Manitoba; Edward F. Hebden, general manager, of the city of Montreal, in the province of Quebec; George R. Gregg, wholesale merchant, of the city of Toronto, in the province of Ontario; R. T. Elliott, barrister, of the city of Victoria, in the province of British Columbia; the Honourable W. F. Carter-Cotton, capitalist, of the city of Vancouver, in the province of British Columbia; James Balfour, barrister, of the city of Regina, in the province of Saskatchewan; Charles D. MacPherson, publisher, of the town of Portage la Prairie, in the province of Manitoba; and Michael J. Tobin, attorney at law, and James Webster Hayward, wholesale merchant, of Vinton, in the state of Iowa, one of the United States, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The British North-Western Mortgage Company," hereinafter called "the Corporate name
Company."

Provisional
directors.

2. The persons named in section 1 of this Act shall be the first or provisional directors of the Company, six of whom shall be a quorum for the transaction of business, and may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls on stock subscribed and receive payments thereon, and shall deposit in a chartered bank of Canada all moneys received by them on account of stock subscribed or otherwise received by them on account of the Company and may withdraw the same only for the purposes of the Company and may do generally what is necessary to organize the Company.

Powers.

Capital
stock.

3. The capital stock of the Company shall be ten million dollars, divided into one hundred thousand shares of one hundred dollars each.

Issue in
currency.

2. Such capital stock may be issued either in sterling or currency, or both, as the directors may determine, and if any of such capital stock is issued in sterling, it shall be at the rate of four dollars and eighty-six and two-third cents per pound sterling.

Election of
directors.

4. So soon as not less than one hundred thousand dollars of the capital stock have been subscribed, and not less than fifty thousand dollars of that amount have been paid in cash into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Winnipeg at which meeting, and at each annual meeting, the holders of the capital stock present or represented by proxy who have paid all calls due on their shares shall choose not less than ten nor more than twenty persons to be directors of the Company, each of whom shall hold at least one hundred shares of the capital stock of the Company. Seven directors shall constitute a quorum.

Qualifica-
tion.Number of
directors.

2. The number of directors and the quorum thereof may, within the limits aforesaid, be fixed or changed by vote of the shareholders at any general meeting of the Company.

Head office.

5. The head office of the Company shall be at the city of Winnipeg, in the province of Manitoba, or at such other place in Canada as the Company may determine by by-law, but the directors may establish other offices and places of business elsewhere.

Other offices.

Annual
meeting.

6. A general meeting of the Company shall be called at its head office once in each year, after the organization of the Company and commencement of business, and at such meeting a statement of the affairs of the Company shall

shall be submitted; and special, general or extraordinary Special meetings. meetings may at any time be called by any five of the directors, or by a requisition of any twenty-five shareholders, specifying in the notice thereof the object of such meeting.

2. Notice of each meeting of the Company shall be given Notice of meeting. by printed or written notice to each of the shareholders mailed, by registered post, at least fourteen days before the day for which such meeting is called and addressed to the addresses of the shareholders respectively as given in the books of the Company.

7. The shares of the capital stock subscribed for shall Calls on stock. be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice shall be given of any call; and any notice of call Notice. may be effectually given by sending the notice by registered letter post paid to the address of the shareholder as given in the books of the Company. Any shareholder may, however, with the consent of the directors, pay the full amount of or the balance payable on, his shares prior to the time the same is payable by call.

8. The Company shall not borrow or lend money or otherwise carry on business until it has obtained from the Minister of Finance a certificate permitting it to do so; and no application for such certificate shall be made, and no certificate shall be given, until the board of directors has been elected as required by this Act, nor until it has been shown to the satisfaction of the Minister of Finance that at least five hundred thousand dollars of the capital stock of the Company have been *bona fide* subscribed and at least one hundred thousand dollars thereof have been paid in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act. No such certificate shall be given unless application therefor is made within two years after the passing of this Act, or within such extended period as the Governor in Council, before the expiration of such two years, allows: Borrowing and lending. Certificate required. Provided that should such certificate not be duly made Proviso. within the time limited, or should such certificate be refused, this Act shall thereupon cease to be in force except for the purpose of winding up the affairs of the Company and returning to the subscribers the amounts paid upon the subscribed stock or so much thereof as they are entitled to.

Business.

Mortgages
on real
estate.
Stocks and
securities.

9. The Company may carry on the business of lending money on the security of, or purchasing or investing in,—

(a) mortgages or hypothecs upon freehold or leasehold real estate, or other immovables;

(b) the debentures, bonds, fully paid-up stocks and other securities of any government, or of any municipal corporation or school corporation, or of any chartered bank in Canada or of any company incorporated under the laws of Canada, or of any province of Canada, or of any former province now forming part of Canada (to the extent of not more than twenty per cent of the paid-up capital of any such bank or company); provided that the Company shall not lend upon the security of, or purchase, or invest in bills of exchange or promissory notes;

Proviso.

Freehold
real estate.

(c) freehold real estate subject to an agreement for sale upon which not more than sixty per cent of the purchase price remains to be paid under the said agreement for sale.

Personal
security.

2. The Company may take personal security as collateral for any advance made or to be made, or contracted to be made, by or for any debt due to the Company.

Stock of
loan
companies.

3. The Company shall not invest in or lend money on the stock of any other loan company.

Real estate.

10. The Company may acquire, hold, convey, mortgage, lease or otherwise dispose of any real property required in part or wholly for the purposes, use or occupation of the Company, but the annual value of such property held in any province in Canada shall not exceed five thousand dollars, except in the province of Manitoba where it shall not exceed sixty thousand dollars.

Agency
association.

11. The Company may act as an agency association for the interest and on behalf of others who entrust it with money for that purpose, and may, either in the name of the Company or of such others, lend and advance money to any person or municipal or other authority, or any board or body of trustees or commissioners, upon such securities as are mentioned in section 9 of this Act; and may purchase and acquire any securities on which it is authorized to advance money, and resell the same.

Enforcement
of agree-
ments.

2. The conditions and terms of such loans and advances and of such purchases and resales, may be enforced by the Company for its benefit, and for the benefit of the person for whom such money has been lent or advanced, or such purchase and resale made; and the Company shall have the same powers in respect of such loans, advances, pur-

chases and sales as are conferred upon it in respect of loans, advances, purchases and sales made from its own capital.

3. The Company may also guarantee the repayment of the principal or the payment of the interest, or both, of any money entrusted to the Company for investment. Guarantee of repayment.

4. The Company may, for every or any of the foregoing purposes, lay out and employ the capital and property, for the time being, of the Company, or any part of the moneys authorized to be raised by the Company in addition to its capital for the time being, or any moneys so entrusted to it as aforesaid; and may do, assent to, and exercise all acts whatsoever which, in the opinion of the directors, are requisite or expedient to be done in regard thereto. Employment of capital.

5. All moneys as to which the repayment of the principal or payment of interest is guaranteed by the Company shall, for the purposes of this Act, be deemed to be money borrowed by the Company. Moneys guaranteed to be deemed borrowed.

12. The Company may liquidate, and carry on for the purposes of such liquidation, the business of any other company carrying on any business which the Company is authorized to carry on, upon such terms as may be agreed upon. Liquidation of other companies.

13. The Company may, subject to any limitation or prohibition imposed by its by-laws, lend upon its own paid-up stock to an amount not exceeding in the aggregate of all such loans ten per cent of the Company's paid-up stock, but no such loan shall exceed eighty per cent of the then current market value of such stock. Limitation of lending powers.

14. The Company may borrow money and receive money on deposit upon such terms as to interest, security, time for payment and otherwise, as may be agreed, and may issue its bonds, debentures and other securities for moneys borrowed: Provided that the total of the Company's liability to the public outstanding from time to time shall not exceed four times the amount paid upon its then actually paid-up and unimpaired capital stock; but the amount of cash on hand, or deposited in chartered banks, belonging to the Company, shall be deducted from such total liability for the purposes of this section: Provided, also, that the amount held on deposit shall not at any time exceed the aggregate amount of its then actually paid-up and unimpaired capital, and of its cash actually in hand or deposited in any chartered bank in Canada and belonging to the Company. Moneys on deposit.
Limitation of liability to the public.
Limitation of amount held on deposit.

15. The loans or advances by the Company to its shareholders upon the security of their stock shall be deducted from Loans to shareholders.

from the amount of the paid-up capital upon which the Company is authorized to borrow.

Liabilities
of other
companies.

16. The liabilities of any company assumed by the Company shall form part of the total liabilities of the Company to the public for the purposes of section 14 of this Act.

Decrease of
capital.

17. The directors may, by by-law, provide for the decrease of the capital stock of the Company to any amount, not less than five hundred thousand dollars, which they consider sufficient.

Contents of
by-law.

2. Such by-law shall declare the number of the shares of the stock so decreased and the allotment thereof or the rules by which the same is to be made.

Rights of
creditors
preserved.

3. The liability of shareholders to persons who are, at the time the stock is decreased, creditors of the Company, shall remain as though the stock had not been decreased.

Requisites
for validity
of by-law.

18. No by-law for decreasing the capital stock of the Company shall have any force or effect unless and until it has been sanctioned by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering such by-law, such vote being that of shareholders holding not less than two-thirds of the amount paid up upon the capital stock of the Company represented at such meeting, and provided that such by-law has afterwards been confirmed by a certificate of the Minister of Finance given under the authority of the Treasury Board.

Certificate
of Minister
of Finance.

Requisites
for such
certificate.

19. Upon the application to the Minister of Finance for a certificate confirming such a by-law, the Company shall satisfy him of the *bona fide* character of the decrease of capital thereby provided for; and, unless it appears that the granting of such certificate would not be in the public interest, the Minister, with the approval of the Treasury Board, may grant the same: Provided that, with the consent of the directors, the amount of such decrease of capital may, by the said certificate, be changed and the decrease made subject to such conditions as the Treasury Board may think proper.

Proviso.

Debenture
stock.

20. The directors may, with the consent of the shareholders at the first general meeting, or thereafter at any special general meeting duly called for the purpose, create and issue debenture stock in sterling or currency, in such amounts and manner, on such terms as to redemption or payment thereof, and otherwise, and bearing such rate of interest, as the directors from time to time think proper; but such

debenture stock shall be treated and considered as part of the ordinary debenture debt of the Company, and shall be included in estimating the Company's liabilities to the public, under section 14 of this Act; and such debenture stock shall rank equally with the ordinary debenture and deposit debt of the Company, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by depositors or holders of ordinary debentures of the Company. Such stock shall be transferable in such amounts and in such manner as the directors determine.

To be included in estimates of liabilities to public.

Rank.

Transfer.

21. The debenture stock aforesaid shall be entered by the Company in a register to be kept for that purpose in the head office of the Company in Canada, wherein shall be set forth the names and addresses of those from time to time entitled thereto, with the respective amounts of the said stock to which they are respectively entitled; and the register shall be accessible for inspection and perusal at all reasonable times to every mortgagee, debentureholder, bondholder, debenture-stockholder and shareholder of the Company without the payment of any fee or charge.

Register of debenture stock.

Contents.

22. The holders of the ordinary debentures of the Company may, with the consent of the directors, at any time exchange such debentures for debenture stock.

Exchange of debentures.

23. The directors, having issued debenture stock, may, from time to time, as they think fit and for the interest of the Company but only with the consent of the holders thereof, buy up and cancel the debenture stock or any portion thereof; and the directors may, at any time, with the consent of those holding not less than two-thirds in value of the debenture stock of any company whose assets and business may at any time be acquired by the Company, cancel the debenture stock of such company, and give in lieu thereof to the respective holders thereof debenture stock of the Company.

Cancellation of debenture stock of company.

Of other companies.

24. The directors of the Company may make a by-law for creating and issuing any part of the capital stock as preference stock, giving the same such preference and priority as respects dividends and otherwise over ordinary stock as may be declared by the by-law.

Preference stock.

2. The by-law may provide that the holders of shares of such preference stock shall have the right to select a certain stated proportion of the board of directors, or may give the said holders such control over the affairs of the Company as may be considered expedient.

Holders may select directors.

By-law to be sanctioned. 3. No such by-law shall have any force or effect until it has been sanctioned either by the shareholders in writing or by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering it, such vote being that of shareholders holding not less than two-thirds of the issued capital stock of the Company.

Preference stockholders to have rights of shareholders. 4. Holders of shares of such preference stock shall be shareholders within the meaning of this Act, and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of this Act; provided however that in respect of dividends and otherwise they shall, as against the ordinary shareholders, be entitled to the preferences and rights given by such by-law.

Rights of creditors saved. 5. Nothing in this section contained or done in pursuance thereof shall affect or impair the rights of creditors of the Company.

Reserve fund. 25. The directors may set aside out of the profits of the Company such sum as they think proper as a reserve fund to meet contingencies or for equalizing dividends, or for repairing, improving and maintaining any of the property of the Company, and for such other purposes as the directors shall, in their discretion, think conducive to the interests of the Company, and may invest the several sums so set aside upon such investments (other than shares of the Company) as they may think fit, and may deal with and vary such investments and dispose of all or any part thereof for the benefit of the Company, and may divide the reserve fund into such special funds as they think fit, with full power to employ the assets constituting the reserve fund in the business of the Company, and that without being bound to keep the same separate from the other assets; provided always that the investments of the reserve fund shall be subject to the limitations in section 9 of this Act.

Proviso.

Business outside of Canada. 26. The Company may, in general meeting of its shareholders duly called for the purpose, pass a by-law authorizing its directors to extend the business of the Company outside of Canada, and the directors may give effect to such by-law without being liable or responsible as for any breach of trust in so doing.

Office buildings. 2. If, as provided in subsection 1 of this section, the Company carries on business outside of Canada the Company may, in general meeting of the shareholders duly called for the purpose, pass a by-law authorizing the directors to invest the money of the Company in the erection

or purchase of buildings required for the occupation of the Company in any place where the Company is so carrying on business.

27. The Company may have agencies in any places in Great Britain, or elsewhere, for the registration and transfer of debenture or other stock and for the transaction of any other business of the Company.

Agencies
abroad.

28. The Company may purchase, acquire and undertake the whole or any part of the business, assets, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situated, belonging to any other company within the legislative power of the Parliament of Canada, or of any province of Canada, and the liabilities and the name and good-will of such other company, provided such other company carries on any business which the Company is authorized to carry on; and may pay therefor in cash or in stock either fully paid up or partly paid up, or partly in cash and partly in stock either fully paid up or partly paid up, or in any other manner; and the Company and any such other company may enter into agreements for such purchase and sale and do all other acts necessary or convenient for the purpose of such purchase and sale: Provided always that specified assets may be excepted from any such purchase and sale: Provided further that no such agreement shall become operative and effective until it has been submitted to and approved by the Treasury Board.

Power to
acquire
business, etc.
of other
companies.

Payment.

Agreements.

Approval of
Treasury
Board.

2. In case the Company, by any such agreement so approved, assumes the liabilities of any other company, such liabilities shall form part of the total liabilities of the Company to the public for the purposes of section 14 of this Act.

Liability to
the public.

29. In case any company whose assets are acquired by the Company has issued debenture stock, and such debenture stock is outstanding at the date of the acquisition aforesaid, the directors of the Company may, if and when they think fit, and either with or without the sanction of the shareholders, issue debenture stock to the extent of the nominal value of the debenture stock of such other company outstanding as aforesaid and may, with the consent of any holder of debenture stock in such other company, give to him, in lieu of the debenture stock held by him, debenture stock of the Company on such terms as may be agreed upon.

Issue of
debenture
stock in lieu
of debenture
stock of other
companies.

Powers of
directors.

30. The business of the Company shall be managed by the directors, who may pay all expenses incurred in the promotion, incorporation and organization of the Company, and may affix the seal of the Company, and may make or cause to be made for the Company any description of contract which the Company may by law enter into, and may exercise all such powers of the Company as are not by this Act required to be exercised by the Company in general meeting, and amongst other things may, by by-law and subject to section 133 of *The Companies Act*, exercise the following powers, the same being specifically referred to for greater certainty but not so as to restrict the generality of the foregoing terms of this section,—

Issue of
securities,
etc.

(a) issue debentures, bonds, deposit receipts and stock, and regulate the allotment of stock, the making of calls thereon, the payment thereof, the issue and registration of certificates of stock, the forfeiture of stock for non-payment, the disposal of forfeited stock and of the proceeds thereof, and the transfer of stock;

Dividends.

(b) declare and pay dividends;

Directors.

(c) determine the number of directors, their term of service, and their remuneration, if any;

Agents,
officers, etc.

(d) appoint and remove all agents, officers and servants of the Company, and provide for and determine their functions and duties, the security to be given by them to the Company and their remuneration;

Meetings.

(e) determine the time and place for the holding of the annual or any other meeting of the Company, the calling of meetings regular and special of the board of directors and of the Company, the quorum at meetings of the Company, the requirements as to votes and proxies, and the procedure in all things at such meetings;

Penalties.

(f) provide for the imposition and recovery of all penalties and forfeitures admitting of regulation by by-law;

Generally.

(g) conduct in all other particulars the affairs of the Company;

By-laws.

(h) make by-laws for the regulation of the business of the Company, its officers and servants, or the members of the Company.

Company
not bound
to see
to execution
of trusts.

31. The Company shall not be bound, except as in section 11 of this Act provided, to see to the execution of any trust, whether express, implied or constructive to which any share of its stock, or debenture, or debenture stock, or any deposit or any moneys payable by or in the hands of the Company may be subject, and the receipt of the party or parties in whose name such share, debentures, debenture stock, deposit or moneys, stand in the books

of the Company shall be sufficient discharge to the Company for any payment made in respect of such share, debenture, debenture stock, deposit or moneys, notwithstanding any trust to which the same may then be subject, and whether or not the Company has had notice of such trust, and the Company shall not be bound to see to the application of the money paid upon such receipt.

32. If the interest of any person in any share in the capital stock, or debenture stock, or in any bond, debenture or obligation of the Company, which bond, debenture or obligation is not payable to bearer, or in any deposit or any other moneys payable by or in the hands of the Company, is transmitted in consequence of the death, or bankruptcy, or insolvency of such holder, or by any other lawful means other than a transfer upon the books of the Company, the directors shall not be bound to allow any transfer pursuant to such transmission to be entered upon the books of the Company, or to recognize such transmission in any manner until a declaration in writing, showing the nature of such transmission, and signed and executed by the person claiming by virtue of such transmission, and also executed by the former shareholder, if living, and having power to execute the same, shall have been filed with the manager or secretary of the Company and approved by the directors, and if the declaration, purporting to be signed and executed shall also purport to be made or acknowledged in the presence of a notary public, or of a judge of a court of record, or of a mayor of any city, town or borough, or other place, or a British consul, or vice-consul, or other accredited representative of the British Government in any foreign country, the directors may, in the absence of direct actual notice of a contrary claim, give full credit to the declaration, and, unless the directors are not satisfied with the responsibility of the transferee, shall allow the name of the party claiming by virtue of the transmission to be entered in the books of the Company.

Transmission
of interest
in shares
otherwise
than by
transfers.

33. If the transmission takes place by virtue of any testamentary act or instrument, or in consequence of an intestacy, the probate of the will or letters of administration or document testamentary, or other judicial or official instrument under which the title, whether beneficial or as trustee, or the administration or control of the personal estate of the deceased is claimed to vest, purporting to be granted by any court or authority, in Canada, or in Great Britain or Ireland, or any other of His Majesty's dominions, or in any foreign country, or an authenticated copy thereof or official extract therefrom shall, together with the declara-

Require-
ments in
case of
transmission
by will or
intestacy.

tion mentioned in section 32 of this Act, be produced and deposited with the manager, secretary, treasurer or other officer named by the directors for the purpose of receiving the same, and such production and deposit shall be sufficient justification and authority to the directors for paying the amount or value of any dividend, coupon, bond, debenture or obligation or share, or any deposit or any other moneys payable by or in the hands of the Company, or transferring, or consenting to the transfer of any bond, debenture or obligation or share or any deposit or any other moneys payable by or in the hands of the Company, in pursuance of, and in conformity to such probate, letters of administration or other such document as aforesaid.

Directors
may apply
to court
in case of
doubt.

34. Whenever the directors entertain reasonable doubts as to the legality of any claim to or upon any shares, bonds, debentures, obligations, dividends or coupons, or the proceeds thereof, or any deposit or any other moneys payable by or in the hands of the Company, then and in such case the directors may file in any court of competent jurisdiction in the province where the head office of the Company is situated, a petition stating such doubts and praying for an order or judgment adjudicating and awarding the said shares, bonds, debentures, obligations, dividends, coupons or proceeds thereof, or any deposit or any other moneys payable by or in the hands of the Company, to the parties legally entitled thereto; and such court shall have authority to restrain any action, suit or proceedings against the Company, the directors and officers thereof, for the same subject matter, pending the determination of the petition; and the Company and the directors and officers shall be fully protected and indemnified by obedience to such order or judgment against all actions, suits, claims and demands in respect of the matters in question in such petition and the proceedings thereupon: Provided always, that if the court adjudges that such doubts were reasonable, the costs, charges and expenses of the Company in and about such petition and proceedings shall form a lien upon such shares, bonds, debentures, obligations, dividends, coupons or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company, and shall be paid to the Company before the directors shall be obliged to transfer or assent to the transfer of or to pay such shares, bonds, debentures, obligations, dividends, coupons, or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company to the parties found to be entitled thereto.

Proviso.

Costs if
doubts
reasonable.

35. No parcel of land or interest therein at any time acquired by the Company and not required for its actual use and occupation or not held by way of security, shall be held by the Company or by any trustee on its behalf for a longer period than ten years after the acquisition thereof; but such land or interest therein shall be absolutely sold and disposed of so that the Company shall no longer retain any interest therein unless by way of security; and any such parcel of land or any interest therein not within the exceptions hereinbefore mentioned, which has been held by the Company for a longer period than ten years without being disposed of, shall be forfeited to the Crown: Provided that the Governor in Council may extend the said period from time to time not exceeding in the whole twelve years: Provided further that no such forfeiture shall take effect or be in force until the expiration of at least six months after notice in writing to the Company of the intention of the Crown to claim such forfeiture; and the Company shall, when required, give to the Minister of Finance a full and correct statement of all lands at the date of such statement held by the Company or in trust for the Company and subject to these provisions.

Term for which land may be held.

Forfeiture.

Extension of term.

Notice of enforcing forfeiture.

Statement of lands subject to.

36. The Company shall, on or before the first day of March in each year, transmit to the Minister of Finance a statement in duplicate, to and including the thirty-first day of December of the previous year, verified by the oaths of the president or vice-president and the manager or secretary, setting out the capital stock of the Company and the proportion thereof paid up, the assets and liabilities of the Company, the amount and nature of the investments made by the Company, both on its own behalf and on behalf of others, and the average rate of interest derived therefrom, distinguishing the classes of securities and also the extent and value of the lands held by it, and giving such other details as to the nature and extent of the business of the Company as the Minister of Finance requires, and in such forms and with such details as he requires and prescribes; but the Company shall in no case be bound to disclose in such statement the names or private affairs of any person who has dealings with it.

Annual statement to Minister of Finance.

2. If the Company for the space of one month neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default, shall incur the like penalty.

Penalty for non-compliance.

14 Chap. **76**, *British North-Western Mortgage Co.* 3-4 GEO. V.

R. S., c. 79. **37.** Sections 125, 135, 141, 161, 165 and 167 of *The Companies Act* shall not apply to the Company.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 77.

An Act for the relief of Albert Britnell.

[Assented to 6th June, 1913.]

WHEREAS Albert Britnell, of the city of Toronto, in Preamble.
the province of Ontario, bookseller, has by his petition alleged, in effect, that on the ninth day of September, A.D. 1907, at the said city of Toronto, he was lawfully married to Ellen Mary Forsey; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto, on or about the first day of April, A.D. 1912, she deserted him; that at the town of Cobalt, in the province of Ontario, in or about the months of June, July and August, A.D. 1912, she lived as wife with husband and committed adultery with one Arthur Shaw; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Albert Britnell and Ellen Mary Forsey his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said Albert Britnell may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Ellen Mary Forsey had not been solemnized.

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3 - 4 GEORGE V.

CHAP. 78.

An Act for the relief of Minnie Edna Brownell.

[Assented to 16th May, 1913.]

WHEREAS Minnie Edna Brownell, presently residing at Preamble.
the city of Toronto, in the province of Ontario, wife
of Edward Percy Brownell, of the said city of Toronto,
has by her petition alleged, in effect, that they were law-
fully married on the fifth day of November, A.D. 1900,
at the city of Buffalo, in the state of New York, one of
the United States of America, she then being Minnie Edna
Wilkinson, spinster; that the legal domicile of the said
Edward Percy Brownell was then and is now in Canada;
that in 1908, at London and Brighton, in England, and at
Paris, in France, and at the city of Toronto, in the said
province of Ontario, he committed adultery; that in A.D.
1909, at the city of Toronto, he also committed adultery;
that she has not connived at nor condoned the said adultery;
that there has been no collusion, directly or indirectly,
between him and her in the proceedings for divorce; and
whereas by her petition she has prayed for the passing of
an Act dissolving her said marriage, authorizing her to
marry again, and affording her such other relief as is deemed
meet; and whereas the said allegations have been proved,
and it is expedient that the prayer of her petition be granted:
Therefore His Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada, enacts
as follows:—

1. The said marriage between Minnie Edna Wilkinson
and Edward Percy Brownell, her husband, is hereby dis-
solved, and shall be henceforth null and void to all intents
and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said Minnie Edna Wilkinson may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Edward Percy Brownell had not been solemnized.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 79.

An Act respecting the Buctouche Railway and Transportation Company, and to change the name thereof to "The Moncton and Northumberland Strait Railway Company."

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1910, c. 73.

1. The name of the Buctouche Railway and Transportation Company, hereinafter called "the Company," is changed to "The Moncton and Northumberland Strait Railway Company," but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any wise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Change of name.
Saving of rights.

2. Section 7 of chapter 73 of the statutes of 1910 incorporating the Buctouche Railway and Transportation Company, is hereby repealed and the following is substituted therefor:—

New s. 7.

"7. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from Buctouche to a point in the Richibucto Harbour at or near Richibucto in the province of New Brunswick, and

Line of railway authorized.

from Richibucto to Chatham or L'Égreville in the said province, and from a point at or near Painsec Junction on the line of the Intercolonial Railway to a point at or near Cape Tormentine in the said province, and from a point at or near Westpoint in the province of Prince Edward Island to Coleman on the main line of the Prince Edward Island Railway."

S. 9 amended.
Issue of
securities
increased.

3. Section 9 of the said Act is hereby amended by striking out the word "twenty" in the second line thereof and substituting therefor the word "thirty."

S. 11
amended.

Agreements
with other
companies.

4. Section 11 of the said Act is hereby amended by inserting after the word "Company" in the sixth line thereof the words "the Saint Louis, Richibucto and Buctouche Railway Company, the Shediac and Coast Railway Company."

Consent of
municipal-
ities.

5. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

Time for
construction
extended.

6. The Company may commence the construction of its railway, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not so completed and put in operation within the said periods, respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.



3-4 GEORGE V.

CHAP. 80.

An Act respecting the Burrard Inlet Tunnel and Bridge Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient 1910, c. 74.
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. The Burrard Inlet Tunnel and Bridge Company may Time for construction of bridge, tunnel and railway extended.
commence the construction of its bridge and tunnel and
of the lines of railway which it is authorized to construct,
and expend fifteen per cent of the amount of its capital
stock thereon, within one year after the passing of this
Act, and may complete the said bridge and tunnel and
lines of railway which it is authorized to construct, and
put them in operation, within five years after the passing
of this Act; and if the said bridge and tunnel and the said
lines of railway are not so commenced and such expenditure
is not so made, or if the said bridge and tunnel or the said
lines of railway are not completed and put in operation,
within the said periods respectively, the powers of con-
struction conferred upon the said company by Parliament
shall cease and be null and void as respects so much of
the said bridge and tunnel, or so much of the said lines
of railway, as then remains uncompleted.

2. Section 15 of chapter 74 of the statutes of 1910 is 1910, c. 74 amended.
repealed.



3-4 GEORGE V.

CHAP. 81.

An Act respecting Burrard, Westminster Boundary Railway and Navigation Company.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1907, c. 68;
1909, c. 56;
1911, c. 50.

1. Burrard, Westminster Boundary Railway and Navigation Company may, within two years after the passing of this Act, commence the construction of its railways authorized by chapter 68 of the statutes of 1907, and by chapter 56 of the statutes of 1909, and expend fifteen per cent of its capital stock thereon, and may, within five years after the passing of this Act, complete the said railways and put them in operation, and if, within the said periods respectively, the said railways are not commenced and such expenditure is not so made or the said railways are not completed and put in operation, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railways as then remains uncompleted.

Extension of
time for
construction.

2. Section 4 of chapter 68 of the statutes of 1907 is hereby amended by substituting for the word "one" in the first line thereof the word "two."

Increase of
capital stock.

3. Section 10 of chapter 68 of the statutes of 1907 is hereby amended by substituting for the word "thirty" in the second line thereof the word "forty."

Increase of
issue of
securities.

1909, c. 56
amended.

4. Section 3 of chapter 56 of the statutes of 1909 is amended by inserting after the figures "1907" in line 2 thereof, the words "and amendments thereof."

1907, c. 68
amended.

Consent of
municipality.

5. Paragraph (e) of section 12 of chapter 68 of the statutes of 1907 is amended by inserting after the word "grounds" in the first line thereof, the words "with the approval, expressed by by-law, of the municipality having jurisdiction over the place in which such parks and pleasure grounds are situated, and upon terms to be agreed upon with such municipality."

Trans-
mission and
delivery of
power and
electricity.

6. In so far as the Company has the right to acquire electric or other power or energy which may be transmitted and delivered to any place in the municipalities through which the railway or works have been constructed, and to receive, transform, transmit, distribute and supply such electric power or energy in any form and to dispose of the surplus thereof and to collect rates and charges therefor, the Company may, subject to the provisions of section 247 of *The Railway Act*, continue to so acquire such electric power or energy, but not by expropriation; but no such rate or charge shall be demanded or taken for such electric power or energy until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

1907, c. 68
amended.

Consent of
municipality.

7. Subsection 1 of section 15 of chapter 68 of the statutes of 1907 is amended by inserting after the word "Act," in the first line thereof, the words "or in *The Telegraphs Act*," and by adding after the word "municipality," in the tenth line thereof, the words "or to sell, dispose of or distribute power or energy within or for the use within the limits of any municipality, without the consent, expressed by by-law, of such municipality."

Repeal.

8. Chapter 50 of the statutes of 1911 is hereby repealed.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 82.

An Act to incorporate the Calgary and Fort McMurray Railway Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. Donald McGibbon, of the city of Edmonton, in the Incorporation.
province of Alberta, physician, James Ross, of the same place,
capitalist, Thomas J. S. Skinner, of the city of Calgary,
in the province of Alberta, real estate agent, Alfred Violette,
and Charles A. Violette, both of the city of Edmon-
ton, capitalists, together with such persons as become
shareholders in the company, are incorporated under the
name of "The Calgary and Fort McMurray Railway Com- Corporate
pany," hereinafter called "the Company." name.

2. The persons named in section 1 of this Act are Provisional
constituted provisional directors of the Company. directors.

3. The capital stock of the Company shall be ten million Capital
dollars. No one call thereon shall exceed ten per cent stock.
of the shares subscribed.

4. The head office of the Company shall be at the city Head office.
of Edmonton, in the province of Alberta.

5. The annual meeting of the shareholders shall be held Annual
on the first Tuesday in September. meeting.

Number of directors.

6. The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

Lines of railway described.

7. The Company may lay out, construct and operate in the province of Alberta and in the Northwest Territories, a railway of the gauge of four feet eight and one-half inches,—

(a) From Calgary, in the province of Alberta, thence by the most feasible route to Edmonton, thence by the most feasible route passing east of Lac la Biche to Fort McMurray, thence northerly following the Athabaska river to Chipewyn, thence northerly by the most feasible route west of the Slave river and passing through or near Fort Smith to Fort Resolution on Great Slave Lake;

(b) From, at or near Fort Smith in a southwesterly direction by the most feasible route to Fort Vermilion, thence southerly by the most feasible route west of Peace river to Peace River Landing, thence in a southwesterly direction by the most feasible route to a point at or near Dunvegan;

(c) From Red Deer by the most feasible route to connect with the line of railway described in paragraph (a) of this section at or near Edmonton.

Consent of municipalities.

8. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place and upon terms to be agreed on with such municipality.

Motor cars.

9. In connection with its business and for the purposes of its undertaking the Company may establish and operate a service of traction motors or cars, driven by mechanical or other power for collecting, carrying, transporting and delivering freight, goods and passengers and may collect rates and charges therefor; but no rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Rates and charges.

Issue of securities for railway.

10. The securities issued by the Company shall not exceed forty thousand dollars per mile of its railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Telegraphs and telephones.

11. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone

telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of *The Railway Act*, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or lease its own lines to, any such companies.

2. No toll or charge shall be demanded or taken for the transmission of any messages, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

Tolls and charges.

3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with *The Railway Act*, shall apply to the telegraphic business of the Company.

R. S., c. 126.

12. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric or other power or energy, which may be transmitted and delivered to any place in the municipalities through which the railway is constructed; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor, but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Transmission and delivery of electric and other power.

13. Nothing in this Act, or in *The Telegraphs Act*, shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality without the consent, expressed by by-law, of such municipality.

Consent of municipalities required for telegraph and telephone lines, etc., upon highways, etc.

14. The Company may, for the purposes of its undertaking, construct, acquire or lease buildings for hotels or restaurants along its railway and may carry on such

Special powers. Hotels.

Parks.

business in connection therewith as tends to the comfort and convenience of the travelling public, and may lay out, manage and lease parks and summer pleasure resorts with the approval, expressed by by-law, of the municipality having jurisdiction over the place in which such parks and summer pleasure resorts are situated and upon terms to be agreed upon by such municipalities.

Vessels.

Wharfs,
docks.Warehouse-
men and
wharfingers.

15. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith, and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property.

Issue of
securities
for purposes
other than
railway.

16. In addition to the securities authorized by section 10 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may borrow moneys for the acquisition, construction, extension or development of any such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made.

Acquire-
ment of
business of
other
companies.

17. The Company, in addition to the powers hereinbefore contained, may acquire, hold, guarantee, pledge and dispose of stocks, bonds or other securities of any railway company, or of any transportation, navigation, terminal, telegraph, express, hotel or other company authorized to carry on any business incidental to the working of a railway and upon such terms as are specified in a by-law passed by the directors for that purpose and sanctioned by a vote of not less than two-thirds in value of the shareholders present, or represented by proxy, and voting at any annual meeting, or at a special general meeting of the Company, duly called for the purpose of considering such by-law, and such by-law shall also be subject to the approval of the Governor in Council.

Preference
stock.

18. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting, or at any special general meeting duly called

for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock, and the preference stock so issued shall have such preference and priority as respects dividends, or otherwise, over ordinary stock as is declared by such resolution. Priority.

2. Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects, other than the preference and priority provided for by this section, possess the rights and be subject to the liabilities of such shareholders. Holders of preference stock deemed shareholders.

19. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Canadian Pacific Railway Company, the Canadian Northern Railway Company, the Grand Trunk Pacific Railway Company, the Pacific Trans-Canada and Hudson Bay Railway Company, and the Alberta, Peace River and Eastern Railway Company, or any of them. Agreements with other companies.

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3-4 GEORGE V.

CHAP. 83.

An Act respecting the Campbellford, Lake Ontario and Western Railway Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1904, c. 54;
1908, c. 90;
1910, c. 78;
1911, c. 51.

1. The limit to the amount of securities which the Campbellford, Lake Ontario and Western Railway Company may issue on the line of railway authorized by section 1 of chapter 51 of the statutes of 1911 shall not exceed sixty-five thousand dollars per mile of the said railway, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of securities.

2. The said Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

Consent of municipalities.

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3 - 4 GEORGE V.

CHAP. 84.

An Act to incorporate the Canada Hail Insurance Company.

[Assented to 2nd April, 1913.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set
forth, and it is expedient to grant the prayer of the said
petition: Therefore His Majesty, by and with the advice
and consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. Frederick W. Louthood, accountant, Gordon S. Haig, Incorporation.
student at law, Frank Carlisle, solicitor, Sidney Ronald
Keele, book-keeper and Percival John Montague, barrister
at law, all of the city of Winnipeg, in the province of Mani-
toba, together with such persons as become shareholders in
the company, are incorporated under the name of "The Corporate
Canada Hail Insurance Company," hereinafter called "the name.
Company."

2. The persons named in section 1 of this Act shall be Provisional
the provisional directors of the Company. directors.

3. The capital stock of the Company shall be one hundred Capital
and fifty thousand dollars, which may be increased to three stock.
hundred thousand dollars. Increase.

4. The amount to be subscribed before the general meet- Amount to be
ing for the election of directors is called shall be fifty subscribed
thousand dollars. before elec-
tion of
directors.

5. The Company shall not commence business until one Commence-
hundred and fifty thousand dollars of the capital stock have ment of
been business.

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been subscribed and seventy-five thousand dollars paid
thereon.

Head office. **6.** The head office of the Company shall be in the city of
Winnipeg, in the province of Manitoba.

Business. **7.** The Company may make contracts of hail insurance.

1910, c. 32 **8.** *The Insurance Act, 1910*, shall apply to the Company.
to apply.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 85.

An Act to incorporate Canada Northwest Loan and Mortgage Company.

[Assented to 10th April, 1913.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. Arthur William Taylor, Bryce Johnstone Saunders, Incorporation.
John Cameron, Jean Leion Coté, Stanislas La Rue, Thomas
Cameron Lazier and Sylvester Gideon Faulkner, all of the
city of Edmonton, in the province of Alberta, together with
such persons as become shareholders in the company, are
hereby incorporated under the name of "Canada North-
west Loan and Mortgage Company," hereinafter called Corporate name.
"the Company."

2. The persons named in section 1 of this Act shall be Provisional directors.
the provisional directors of the Company, a majority of
whom shall constitute a quorum for the transaction of
business; and they may forthwith open stock books, pro-
cure or cause to be procured subscriptions of stock for the
undertaking, make allotments of and calls upon stock sub-
scribed and receive payments thereon; and shall deposit in a Powers.
chartered bank in Canada all moneys received by them on
account of stock subscribed or otherwise received by them
on account of the Company, and may withdraw the same
only for the purposes of the Company and may do generally
what is necessary to organize the Company.

3. The capital stock of the Company shall be five Capital stock.
million dollars, divided into fifty thousand shares of one
hundred dollars each.

Head Office. 4. The head office of the Company shall be in the city of Edmonton in the province of Alberta, or such other place in Canada as the directors may determine by by-law, confirmed at a special general meeting of the Company duly called for that purpose; but the Company may establish branch offices and places of business elsewhere.

Branch offices.

Notice. 2. Notice of any such change of the head office shall be published in at least one issue of *The Canada Gazette*.

Calls on stock. 5. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the provisional directors, or directors, may appoint; the first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days notice shall be given of any call; and any notice of call may be effectually given by sending the notice by registered letter post paid to the address of the shareholder as given in the books of the Company.

Notice.

First general meeting. 6. As soon as one hundred thousand dollars of the capital stock of the Company have been subscribed, and a sum of not less than fifty thousand dollars has been deposited in some chartered bank in Canada to the credit of the Company, the provisional directors shall call a general meeting of the shareholders of the Company at some place to be named in the city of Edmonton, at which meeting the shareholders shall elect not less than nine nor more than fifteen directors, a majority of whom shall be a quorum, and the said directors shall hold office until their successors are elected, and upon the election of such directors the functions of the provisional directors shall cease.

Election of directors.

Qualification of directors. 2. No person shall be a director unless he holds in his own name and for his own use at least twenty-five shares of the capital stock of the Company, and has paid all calls due thereon and all liabilities incurred by him to the Company.

Conditions of commencing business. 7. The Company shall not borrow or lend money or otherwise carry on business until it has obtained from the Minister of Finance a certificate permitting it to do so; and no application for such certificate shall be made, and no such certificate shall be given, until the board of directors has been elected as required by this Act, nor until it has been shown to the satisfaction of the Minister of Finance that at least five hundred thousand dollars of the capital stock of the Company has been *bona fide* subscribed and at least one hundred thousand dollars thereof have been paid in cash into the funds of the Company, to be appropriated only for the purposes of the Company under

Certificate.

Subscription of stock.

Cash deposit.

this Act. No such certificate shall be given unless application therefor is made within two years after the passing of this Act, or within such extended period as the Governor in Council, before the expiration of such two years, allows: Application for certificate. Provided, that should such certificate not be duly made within the time limited, or should such certificate be refused, this Act shall thereupon cease to be in force except for the purpose of winding up the affairs of the Company and returning to the subscribers the amounts paid upon the subscribed stock, or so much thereof as they are entitled to. Proviso: for case of certificate not being obtained.

8. The Company may carry on the business of lending money on the security of, or purchasing or investing in,— Powers for lending money.

(a) the debentures, bonds, fully paid-up stock and other securities of any Government or of any municipal corporation or school corporation, or of any chartered bank in Canada, (to the extent of not more than twenty per cent of the paid-up capital stock of any such bank), or incorporated company, if incorporated by Canada or any province of Canada or any former province now forming part of Canada: Stock and securities. Provided that the Company shall not lend upon the security of or purchase or invest in bills of exchange or promissory notes: Proviso. Provided also that the Company shall not invest in or lend money upon the security of the stocks of any other loan company;

(b) mortgages or hypothecs upon freehold or leasehold real estate or other immovables. Mortgages on real estate.

2. The Company may take personal security as collateral for any advance made or to be made or contracted to be made by or for any debt due to the Company. Personal security as collateral.

9. The Company may act as an agency association for the interest and on behalf of any others who entrust it with money for that purpose, and may, either in the name of the Company or of such others, lend and advance money to any person or municipal or other authority, or any board or body of trustees or commissioners, upon such securities as are mentioned in the next preceding section, and may purchase and acquire any securities on which it is authorized to advance money, and resell the same. Powers as agency association.

2. The conditions and terms of such loans and advances and of such purchases and resales may be enforced by the Company for its benefit, and for the benefit of the person for whom such money has been lent and advanced, or such purchase and resale made; and the Company shall have the same power in respect of such loans, advances, purchases and sales as are conferred upon it in respect of loans, advances, purchases and sales made from its own capital. Enforcement of agreements.

Guarantee of moneys. 3. The Company may also guarantee the repayment of the principal or the payment of the interest, or both, of any moneys entrusted to the Company for investment.

Employment of capital. 4. The Company may, for every or any of the foregoing purposes, lay out and employ the capital and property, for the time being of the Company, or any part of the moneys authorized to be raised by the Company in addition to its capital for the time being, or any moneys so entrusted to it as aforesaid, and may do, assent to, and exercise all acts whatsoever which in the opinion of the directors are requisite or expedient to be done in regard thereto.

Money guaranteed deemed to be borrowed. 5. All moneys of which the repayment of the principal or payment of interest is guaranteed by the Company, shall for the purposes of this Act, be deemed to be money borrowed by the Company.

Liquidation of other companies. 10. The Company may liquidate and carry on for the purposes of such liquidation the business of any other company carrying on any business which the Company is authorized to carry on, upon such terms as may be agreed upon.

Borrowing powers, deposits. Issue of debentures. Limitation of liability to the public. 11. The Company may borrow money and receive money on deposit, and upon such terms as to interest, security, time of payment or otherwise as may be agreed upon, and may issue its bonds, debentures and other securities for moneys borrowed: Provided that the total of the Company's liability to the public outstanding from time to time shall not exceed four times the amount paid upon its then actually paid-up and unimpaired capital stock; but the amount of cash on hand, or deposited in chartered banks, belonging to the Company shall be deducted from such total liability for the purpose of this section; provided also that the amount held on deposit shall not at any time exceed the aggregate amount of the then actually paid-up unimpaired capital, and of the cash actually in hand or deposited in any chartered bank in Canada or elsewhere belonging to the Company.

Limitation of deposits. 2. The liabilities of any company assumed by the Company shall form part of the total liabilities of the Company to the public for the purposes of this section.

Liabilities of other companies. 12. The directors may by by-law provide for the decrease of the capital stock of the Company to any amount, not less than five hundred thousand dollars, which they consider sufficient, upon which not less than one hundred thousand dollars have been paid.

Decrease of capital. 2. Such by-law shall declare the number of shares of stock so decreased and the allotment thereof, or the rules by which the same is to be made.

Contents of by-law.

3. The liability of shareholders to persons who are at the time the stock is decreased, creditors of the Company shall remain as though the stock had not been decreased. Liability to creditors.

13. No by-law for decreasing the capital stock of the Company shall have any force or effect unless and until it has been sanctioned by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering such by-law, such shareholders holding not less than two-thirds of the issued capital stock of the Company represented at such meeting, nor unless such by-law has afterwards been confirmed by a certificate of the Minister of Finance given under the authority of the Treasury Board. By-laws affecting capital to be sanctioned.
Certificate of Minister of Finance.

14. Upon the application to the Minister of Finance for a certificate confirming such a by-law, the Company shall satisfy him of the *bona fide* character of the decrease of capital thereby provided for; and, unless it appears that the granting of such certificate would not be in the public interest, the Minister with the approval of the Treasury Board, may grant the same: Provided that, with the consent of the Company, the amount of such decrease of capital may, by the said certificate, be changed, and the decrease be made subject to such conditions as the Treasury Board think proper. Requisites for certificate.
Proviso.

15. The directors may, with the consent of the shareholders at the first general meeting or thereafter at a special general meeting duly called for the purpose, create and issue debenture stock in sterling or currency, in such amounts and manner, on such terms as to redemption or payment thereof, and otherwise, and bearing such rate of interest as the directors may from time to time think proper; but such debenture stock shall be treated and considered as part of the ordinary debenture debt of the Company, and shall be included in estimating the Company's liabilities to the public under section 11 of this Act, and such debenture stock shall rank equally with the ordinary debenture and deposit debt of the Company, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by depositors or holders of ordinary debentures of the Company. Such stock shall be transferable in such amounts and in such manner as the directors may determine. Issue of debenture stock.

16. The debenture stock aforesaid shall be entered by the Company in a register to be kept for that purpose in the head office of the Company in Canada wherein shall be set Registration of debenture stock.

forth the names and addresses of those from time to time entitled thereto, with the respective amounts of the said stock to which they are respectively entitled; and the register shall be accessible for inspection and perusal at all reasonable times to every debenture holder, mortgagee, bondholder, debenture-stockholder, and shareholder of the Company, without the payment of any fee or charge.

Register of transfers.

2. All transfers of debenture stock of the Company shall be registered at the head office of the Company and not elsewhere, but such transfers may be left with such agent or agents in the United Kingdom or elsewhere as the Company appoints for that purpose for transmission to the Company's head office for registration.

Exchange of debentures for debenture stock.

17. The holders of the ordinary debentures of the Company may, with the consent of the directors, at any time exchange such debentures for debenture stock.

Cancellation of debenture stock.

18. The Company having issued debenture stock may as it thinks fit and in the interest of the Company, but only with the consent of the holders thereof, buy up and cancel the debenture stock or any portion thereof.

Reserve fund.

19. The directors may set aside out of the profits of the Company such sum as they think proper as a reserve fund to meet contingencies, or for equalizing dividends, or for repairing, improving, or maintaining any of the property of the Company, and for such other purposes as the directors may in their discretion think conducive to the interests of the Company, and may invest the several sums so set aside upon such investments (other than shares of the Company) as they may think fit, and may deal with and vary such investments and dispose of all or any part thereof for the benefit of the Company, and may divide the reserve fund into such special funds as they think fit, with all power to employ in the business of the Company the assets constituting the reserve fund, and that without being bound to keep the same separate from the other assets; Provided always that the investment of the reserve fund shall be subject to the limitations in section 8 of this Act.

Investment of fund.

Proviso.

Business outside of Canada.

20. The Company may, in general meeting of its shareholders duly called for the purpose, at which meeting shareholders representing at least two-thirds of the paid-up capital stock of the Company are present or represented by proxy, pass a by-law authorizing the directors to extend the business of the Company outside of Canada.

Buildings for foreign agencies.

2. If, as provided in the next preceding subsection, the Company carries on business outside of Canada, the Company

pany may, in general meeting of the shareholders duly called for the purpose, pass a by-law authorizing the directors to invest the money of the Company in the acquisition of property for the erection of or purchase of buildings required for the occupation or use of the Company in any place where the Company is so carrying on business.

21. The Company may purchase, acquire and undertake the whole or any part of the business, assets, rights, credits, effects and property, real, personal or mixed, of whatsoever kind or wheresoever situated, and the liabilities, name and good-will belonging to any other company within the legislative power of the Parliament of Canada, carrying on any business which the Company is authorized to carry on, and may pay therefor in cash or in stock, either fully paid up or partly paid up, or partly in cash and partly in stock, either fully paid up or partly paid up, or in any other manner; and the Company may enter into agreements for such purchase and sale and do all other acts necessary or convenient for the purposes of such purchase and sale: Provided always that specific assets may be excepted from any such purchase and sale; provided further that no such agreement shall become operative and effective until it has been submitted to and approved by the Treasury Board.

Power to acquire business of other companies, etc.

Proviso.

Agreements.

22. In case any company whose assets are acquired by the Company has issued debentures or debenture stock, and such debentures or debenture stock are outstanding at the date of the acquisition aforesaid, the directors of the Company may, if and when they see fit, and either with or without the sanction of the shareholders, issue debentures or debenture stock to the extent of the nominal value of the debentures or debenture stock of such other company outstanding as aforesaid, and may with the consent of any holder of debentures or debenture stock in such other company give to him, in lieu of the debentures or debenture stock held by him, debentures or debenture stock of the Company on such terms as may be agreed upon.

Issue of debenture stock in lieu of existing debenture stock of other companies.

23. The Company shall not be bound to see to the execution of any trust, whether express, implied or constructive, to which any share of its stock, or debenture or debenture stock, or any deposit or any money payable by or in the hands of the Company may be subject; and the receipt of the party or parties in whose name such share, debenture, debenture stock, deposit or money, stands in the books of the Company, shall, from time to time, be sufficient discharge to the Company for any payment made in respect of such

Company not bound to see to execution of trusts.

share, debenture, debenture stock, deposit or money, notwithstanding any trust to which the same may then be subject, and whether or not the Company has had notice of such trust, and the Company shall not be bound to see to the application of the money paid upon such receipt.

Term for
which land
may be held.

Forfeiture.

Extension of
term.

Notice of
enforcing
forfeiture.

Statement to
Minister of
Finance.

Annual
statement to
Minister of
Finance.

24. No parcel of land or interest therein at any time acquired by the Company and not required for its actual use and occupation or not held by way of security, shall be held by the Company or any trustee on its behalf for a longer period than ten years after the acquisition thereof; but such land or interest therein shall be absolutely sold and disposed of so that the Company shall no longer retain any interest therein unless by way of security; and any such parcel of land or any interest therein not within the exceptions hereinbefore mentioned, which has been held by the Company for a longer period than ten years without being disposed of, shall be forfeited to His Majesty: Provided, however, that His Majesty may extend the said period from time to time not exceeding in the whole twelve years; provided further that no such forfeiture shall take effect or be enforced until the expiration of at least six calendar months after notice in writing to the Company of the intention of His Majesty to claim such forfeiture.

2. The Company shall, when required, give the Minister of Finance a full and correct statement of all lands at the date of such statement held by the Company or in trust for the Company, and subject to the provisions of subsection 1 of this section.

25. The Company shall, on or before the first day of March in each year, transmit to the Minister of Finance a statement, in duplicate, to and including the thirty-first day of December of the previous year, verified by the oaths of the president or vice-president and the manager or secretary, setting out the capital stock of the Company, and the proportion thereof paid up, the assets and liabilities of the Company, the amount and nature of the investments made by the Company, both on its own behalf and on behalf of others, and the average rate of interest derived therefrom, distinguishing the classes of securities and also the extent and value of the lands held by it, and such other details as to the nature and extent of the business of the Company as the Minister of Finance requires, and in such form and with such details as he, from time to time, requires and prescribes; but the Company shall in no case be bound in such statement to disclose the name or private affairs of any person who has dealings with it.

2. If the Company for the space of one month neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues; and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default shall incur the like penalty. ^{Penalty for default.}

26. A general meeting of the Company shall be called at its head office once in each year, after the organization of the Company and commencement of business, and at such meeting a statement of the affairs of the Company shall be submitted; and special, general or extraordinary meetings may at any time be called by any five of the directors, or by a requisition of any twenty-five shareholders, specifying in the notice thereof the object of such meeting. ^{Meetings.}

2. Notice of each meeting of the Company shall be given by printed or written notice to each of the shareholders mailed at least fourteen days before the day for which such meeting is called and addressed to the addresses of the shareholders respectively as given in the books of the Company. ^{Notice.}

27. Sections 125, 126, 134, 135, 141, 161, 165 and 167 R.S., c. 79. of *The Companies Act* shall not apply to the Company.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to
the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 86.

An Act respecting the Canada Permanent Mortgage Corporation.

[Assented to 7th March, 1913.]

WHEREAS the Canada Permanent Mortgage Corporation has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1899, c. 101;
1903, c. 94.

1. Section 5 of chapter 101 of the statutes of 1899 is hereby repealed, and the following section is substituted therefor:—

1899, c. 101
amended.

"5. At each annual meeting the holders of the capital stock present or represented by proxy, who have paid all calls due on their shares shall choose not less than ten nor more than twenty persons to be directors of the Company, each of whom shall hold at least three thousand dollars par value of the shares of the capital stock of the Company.

New s. 5.

Election of
directors.

"2. The number of the directors may, within the limits aforesaid, be changed by vote of the shareholders at any general meeting of the Company, of which intended change ten days previous notice shall have been given.

Number may
be changed.

"3. Every shareholder of the Company who has paid all calls due on his shares shall be entitled to one vote for each share held by him."

Notice.
Votes.

2. Paragraph (b) of subsection 1 of section 6 of chapter 101 of the statutes of 1899, as amended by section 2 of chapter 94 of the statutes of 1903, is repealed, and the following paragraph is substituted therefor:—

1903, c. 94,
s. 2 amended.

Debentures,
bonds, etc.

“(b) the debentures, bonds, fully paid-up stocks and other securities and obligations of any government or of any municipal, school or other corporation, or of any chartered bank or incorporated company being incorporated by Canada or any province of Canada, or any former province now forming part of Canada; life insurance policies, annuities and endowments, but not including bills of exchange or promissory notes; provided that the Company shall not invest in debentures, bonds, stocks, or other securities or obligations of any body corporate, except the Canada Permanent Trust Company, to any further or greater extent than one-fifth of the paid-up capital stock of any such body corporate other than the Canada Permanent Trust Company, nor shall the aggregate of such investments exceed seventy-five per cent of the paid-up capital stock of the company; and provided further that the Company shall not invest in or lend upon the security of the stock of any other loan company except as hereinafter authorized.”

1899, c. 101,
s. 14 amended.

3. Section 14 of chapter 101 of the statutes of 1899 is hereby amended by adding thereto the following subsection:—

Consolidation and
division of
shares.

“4. The directors may, when authorized by the shareholders at any general meeting or at a special general meeting called for the purpose, consolidate and divide all or any of the shares of the capital stock of the Company into shares of larger amount than its existing shares, but so that the capital stock of the Company shall not be increased or decreased by such change of denomination: Provided that no such consolidated share shall exceed the par value of one hundred dollars. For the purpose of such consolidation and division, the Company shall have the power to purchase fractions of shares, and shall be bound to sell any shares held from such purchases within two years after the purchase.”

1899, c. 101,
s. 36 amended.

4. Section 36 of chapter 101 of the statutes of 1899, is repealed, and the following section is substituted therefor:—

R. S., c. 79.

“**36.** Sections 125, 131, 132, 133, 134, 165, 167 and 168 of *The Companies Act* shall not apply to the Company.”



3-4 GEORGE V.

CHAP. 87.

An Act to incorporate the Canada Permanent Trust Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient to
grant the prayer of the said petition: Therefore His Majesty,
by and with the advice and consent of the Senate and House
of Commons of Canada, enacts as follows:—

1. William George Gooderham, Wilmot Deloui Matthews, Incorporation.
George William Monk, John Henry Grasett Hagarty,
Albert Edward Gooderham, Rufus Sawyer Hudson, Francis
Gordon Osler and John Massey, all of the city of Toronto,
in the province of Ontario, together with such other persons
as become shareholders in the company, are hereby incor-
porated under the name of "The Canada Permanent Trust
Company," hereinafter called "the Company." Corporate name.

2. The persons named in section 1 of this Act shall be Provisional directors.
the provisional directors of the Company, a majority of
whom shall be a quorum for the transaction of business;
and they may forthwith open stock books, procure sub-
scriptions of stock for the undertaking, make calls upon
stock subscribed and receive payments thereon, and shall
deposit in a chartered bank in Canada all moneys received
by them on account of the stock so subscribed for or other-
wise received by them on account of the Company and
may withdraw the same for the purposes of the Company
only, and may fix the number of directors to be elected at
the first meeting of the Company, which number may by
by-law be changed for subsequent elections, and may do
generally what is necessary to organize the Company.

Capital stock. **3.** The capital stock of the Company shall be one million dollars, divided into ten thousand shares of one hundred dollars each.

Head office. **4.** The head office of the Company shall be at the city of Toronto, in the province of Ontario, and the directors may establish branch offices and local advisory boards at such other places in Canada or elsewhere as they determine.

Commencement of business. **5.** The Company shall not commence business until at least two hundred and fifty thousand dollars of stock have been *bona fide* subscribed and one hundred thousand dollars paid thereon in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act.

Directors. **6.** The affairs of the Company shall be managed by a board of not less than seven nor more than twenty-one directors, a majority of whom shall be a quorum. At least five and at no time less than two-thirds of such directors shall be residents of the province of Ontario.

Qualifications. **2.** No shareholder shall be eligible for election as a director unless he holds in his own right at least twenty shares upon which all calls due have been paid; and if any director makes an assignment for the benefit of creditors or comes within the operation of any insolvent law then in force, or ceases to hold twenty shares in his own right, he shall *ipso facto* cease to be a director and his place may be filled for the remainder of the term by the directors from among the qualified shareholders of the Company.

Resolution signed by all directors. **3.** The Company may by by-law provide that a resolution in writing signed by all the directors shall be as valid as if it had been passed at a meeting of the directors.

Calls on stock. **7.** Calls on stock may be made by the directors at such times and in such proportions as they deem proper, but no call shall exceed ten per cent and no call shall be made at a less interval than four months from the last preceding call: Provided, however, that any shareholder may, with the consent of the directors, pay up at any time the amount unpaid upon his shares.

Business. **8.** The Company may—
Trust money. (a) receive money in trust for the purposes herein specified, and invest and accumulate it at such lawful rates of interest as can be obtained therefor;

Trustee. (b) accept and execute all such trusts of every description

and nature as are entrusted to it by any government or person, or committed or transferred to it by any order, judgment or decree of any court in Canada or elsewhere; execute the offices of executor, administrator, trustee, accountant, arbitrator, adjuster, auditor, receiver, assignee, liquidator, sequestrator, official guardian, guardian, curator or committee of a lunatic, and perform the duties of such offices or trusts as fully and completely as any person so appointed could do; receive and manage any sinking fund on such terms as may be agreed upon; and in all cases where application is made to any court, judge, officer or person having authority to make an appointment to any such office or trust, the Company, with its consent, may be appointed to hold such office or trust, with the substitution if necessary, for any obligations required from a private person appointed to such office or trust of such usual obligations as are applicable to corporations with such remuneration as may be fixed; take, hold and accept by grant, assignment, transfer, deed, will, devise, bequest, or otherwise, any real or personal estate upon any lawful trusts, and perform and execute them according to the terms and for the purposes declared, established or agreed upon; accept from, and execute trusts for, married women in respect of their separate property, real or personal, and act as agent for them in the management of such separate property; guarantee repayment of the principal or payment of the interest, or both, of any moneys entrusted to the Company for investment, on such terms and conditions as are agreed upon; act as agent for countersigning, registering, or otherwise ascertaining and certifying to the genuineness of any issue of stock, bonds, debentures or other securities for money of any government, municipal or other corporate body duly authorized to make the said issue, and may hold the said securities as agent or trustee; and act generally as fiscal or other agent for any such government or corporate body;

(c) act as agent or attorney for winding-up estates, Agent.
receiving or collecting any principal, interest, rents, coupons, mortgages, debts, debentures or other securities or evidences of debt or demands of any nature, and in the sale or purchase of any real or personal property, and generally act in all matters in the nature of a trust or general agency;

(d) be the custodian, on such terms as are agreed upon of Custodian.
jewellery, plate and other movable property of any kind, and of deeds, wills, policies of insurance, bonds, debentures, securities for money or other valuable papers and documents and guarantee the safe keeping of the same; and lease and hire for such compensation and remuneration,

and upon such terms and conditions as may be agreed upon, its vaults, safes and receptacles;

Management
of estates.

(e) act as investing and managing agent of estates and properties for and on behalf of executors, administrators and trustees or other persons;

Remunera-
tion.

(f) receive and collect such remuneration for its services as is agreed upon, or as is fixed or allowed by law, and all usual and customary charges, costs and expenses;

Investments.

(g) receive moneys in trust for investment and allow interest thereon for a reasonable time until invested, and advance moneys to protect any estate, trust or property entrusted to it as aforesaid, and charge lawful interest upon any such advances: Provided that nothing herein shall be held either to restrict or to extend the powers of the Company as trustee or agent under the terms of any trust or agency that may be conferred upon it;

Securities for
debts.

(h) take securities of such nature as are deemed expedient for any moneys owing to the Company;

Rights,
privileges
and con-
cessions
from govern-
ments.

(i) obtain from any government any rights, privileges and concessions which the Company think it desirable to obtain, and carry out, exercise and comply with any such rights, privileges and concessions, not inconsistent with the provisions of this Act, or of any other Act of the Parliament of Canada;

Real estate
which may be
held.

(j) hold such real estate as is necessary for the transaction of its business, not exceeding the value of one million dollars, and any further real estate of whatever value which being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and sell, mortgage, lease, or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition, unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Investment
of trust
moneys.

9. The Company shall invest trust moneys as follows, and may manage, sell or dispose of such investments as the terms of the trust require,—

Mortgages of
real estate.

(a) upon first mortgages of or hypothecs upon improved freehold property of ample value in Canada, the British Empire or the United States, and may accept personal property or covenants by way of collateral security thereto: Provided however that investments in any country other than Canada shall be limited to moneys received from such country;

Stock and
securities.

(b) in the stock, funds or government securities of

Canada or of any province of Canada, or of the United States, or guaranteed thereby respectively, or in bonds, or debentures of any municipal corporation in any such province other than municipal corporations having a population less than two thousand or an annual rate of assessment exceeding two cents on the dollar exclusive of school tax, or in the bonds and debentures of any school district in any such province or in the public stock, funds or government securities of the United Kingdom or of any of the colonies or dependencies thereof;

(c) in such securities as are authorized by the terms of the trust; Securities authorized by trust.

(d) trust funds belonging to any estate or trust which is being administered in any province, may be invested in securities in which trustees are authorized by the laws of such province, to invest trust moneys. Authorized by provincial laws.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form, or are part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed unless the will, deed, order or instrument creating the trust, provides otherwise. Existing securities.

10. The moneys and securities of any such trust shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company, so that at no time shall trust moneys form part of or be mixed with the general assets of the Company; and the Company shall, in the receipt of rent and in the overseeing and management of trusts and other property, keep distinct records and accounts of all operations connected therewith: Provided that in the management of the money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust money, in the manner provided by section 9 of this Act, in a general trust fund of the Company: Provided always that the total amount of money of any one trust invested in the said general trust fund shall not at any time exceed three thousand dollars. Trust funds to be kept separate.

11. The Company may invest any money forming part of its own capital or reserve or accumulated profit thereon Investment of moneys of Company.

in any of the securities mentioned in section 9 of this Act, or on the security of real estate in Canada, or any interest in such real estate, or on the security of the debentures, bonds, stock and other securities of any chartered bank or company incorporated by or under the authority of the Parliament of Canada, or of the Legislature of any province, as the directors deem expedient.

Accounts to be rendered by Company when made trustee by court.

12. In case of the appointment of the Company to any trust or office by any court in Canada, or any judge, officer or person having lawful authority in that behalf, such court, judge, officer or person may from time to time require the Company to render an account of its administration of the particular trust or office to which it has been appointed and may from time to time appoint a suitable person to investigate the management of such particular trust by the Company, and as to the security afforded to those by or for whom its engagements are held, and such person shall report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge or officer thereof.

Power to sell undertaking.

Proviso.

13. The Company shall have power to sell and dispose of the undertaking of the Company and its rights and properties, for such consideration as the Company may think fit: Provided that no such sale or disposal shall be made until it is approved by a meeting of shareholders duly called for that purpose, at which meeting two-thirds in value of the issued shares are represented by shareholders in person or by proxy; and provided further that no such sale or disposal shall take effect until it has been submitted to and approved of by the Treasury Board.

Acquisition of business of other companies.

14. The Company may acquire the whole or any part of the business, rights and property of any other companies within the legislative power of the Parliament of Canada, or of any of the provinces thereof, carrying on any business, which the Company is authorized to carry on, conditional upon the assumption by the Company of the duties, obligations and liabilities of every such company with respect to the business, rights and property so acquired as are not performed or discharged by such company: Provided that no such agreement shall take effect until it has been submitted to and approved by the Treasury Board.

Note issue prohibited.

15. Nothing in this Act shall be construed to authorize the Company to issue any note payable to bearer or any promissory note intended to be circulated as money or as

the note of a bank, or to engage in the business of banking or of insurance.

Banking and insurance prohibited.

16. The Company shall prepare, and annually transmit to the Minister of Finance a statement in duplicate, verified by the oath of the president or vice-president, and of the manager or secretary, setting forth the capital stock of the Company, the portion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and such statement shall be made up to the thirty-first day of December in each year.

Annual statement to Minister of Finance.

2. If the Company for the space of one month, neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default, shall incur the like penalty.

Penalty for neglect.

17. Part II. of *The Companies Act*, except sections 125, 141, 164, 165 and 167 thereof, shall apply to the Company.

Application of R.S., c. 79.

18. The powers granted by this Act shall expire, and this Act shall cease to be in force, for all purposes except for the winding up of the Company, at the end of two years from the passing thereof, unless the Company goes into actual operation within such two years.

Forfeiture of charter by non-user.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 88.

An Act to incorporate the Canada Preferred Insurance Company.

[Assented to 10th April, 1913.]

WHEREAS a petition has been presented praying Preamble.
that it be enacted as hereinafter set forth, and it is
expedient to grant the prayer of the said petition: Therefore
His Majesty, by and with the advice and consent of the
Senate and House of Commons of Canada, enacts as
follows:—

1. Charles A. Schooley, Frederick A. Wilson, Samuel J. Incorporation.
Slack, Albert E. Greenwood and F. Clement Brown, all of
the city of Vancouver in the province of British Columbia,
together with such persons as become shareholders in the
company, are incorporated under the name of "The Canada
Preferred Insurance Company," hereinafter called "the Corporate name."
Company."

2. The persons named in section 1 of this Act shall Provisional directors.
be the provisional directors of the Company.

3. The capital stock of the Company shall be one Capital stock.
million dollars.

4. The amount to be subscribed before the general Subscription before general meeting.
meeting for the election of directors is called shall be two
hundred and fifty thousand dollars.

5. The Company shall not commence business until Subscription before commencing business.
two hundred and fifty thousand dollars of the capital
stock have been subscribed and one hundred thousand
dollars paid thereon; a further sum of seventy-five thousand
dollars shall also be paid upon capital stock within five Amount to be paid after issue of license.
years

years after the issue of a license to the Company in such manner that at no time within the said five years shall the portion which may have been paid be less than the amount which would have been paid by an annual payment of fifteen thousand dollars.

Head office.

6. The head office of the Company shall be in the city of Vancouver in the province of British Columbia.

Business
authorized.

7. The Company may carry on the business of fire insurance.

1910, c. 32 to
apply.

8. *The Insurance Act, 1910*, shall apply to the Company.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 89.

An Act to incorporate the Canadian Central and Labrador Railway Company.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented, praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. George Parent, barrister, George Tanguay, merchant, Incorporation.
Jean Alexander Lapire, clerk, Martin Madden, merchant, and Louis Harry Gaudry, contractor, all of the city of Quebec, in the province of Quebec, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "The Canadian Central and Labrador Railway Company," hereinafter called "the Corporate name.
Company."

2. The persons named in section 1 of this Act are hereby Provisional directors.
constituted provisional directors of the Company.

3. The capital stock of the Company shall be ten million Capital stock.
dollars. No one call thereon shall exceed ten per cent on the shares subscribed.

4. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present, or represented by proxy, may issue any portion of its capital stock as preference Preference stock.
stock,

stock, and preference stock so issued shall have such preference and priority, as respects dividends and otherwise, over ordinary stock as is declared by such resolution.

Rights of preference stock-holders. R.S., c. 37.

2. Holders of such preference stock shall be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference and priority provided for by this section, possess the rights and be subject to the liabilities of such shareholders.

Head office.

5. The head office of the Company shall be at the city of Quebec in the province of Quebec.

Annual meeting.

6. The annual meeting of the shareholders shall be held on the first Tuesday in September.

Number of directors.

7. The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

Line of railway described.

8. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from a point at or near Cochrane in the province of Ontario, thence by the most feasible route in a northeasterly direction to a point at or near Cape St. Lewis on the Atlantic coast, with a branch line from a point on the said line of railway near the 60th parallel of longitude to a point at or near the mouth of the Hamilton river in the province of Quebec, and also a branch line from a point on the said line of railway west of the 70th parallel of longitude to the city of Quebec.

Consent of municipalities.

9. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over the said highway, street, or other public place, and upon terms to be agreed upon with such municipality.

Vessels.

10. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property.

Wharfs, docks, etc.

Warehousemen and wharfingers.

11. For the purposes of its undertaking and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric or other power or energy, which may be transmitted and delivered to any place in the municipalities through which the railway has been constructed, and may receive, transfer, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Transmission and delivery of power and electricity.
R.S., c. 37.

Approval by Railway Commission.

12. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Consent of municipalities required for telegraph and telephone lines upon highways, etc.
R.S., c. 126.

13. The securities issued by the Company in respect of its railway shall not exceed forty-five thousand dollars per mile of its railway, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of securities for railway.

14. In addition to the securities authorized by section 13 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may borrow moneys for the acquisition, construction, extension or development of any of such properties, assets or works other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made.

Issue of securities for purposes other than railways.

Limitation.

Telegraph
and telephone
lines.

R.S., c. 37.

Tolls or
charges.

R.S., c. 126.

R.S., c. 37.

Agreements
with other
companies.

15. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for, and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or of exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or lease its own lines to, any such companies.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with *The Railway Act*, shall apply to the telegraphic business of the Company.

16. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with all or any of the following companies, namely: the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Canadian Northern Railway Company, the Canadian Northern Ontario Railway Company and the Canadian Northern Quebec Railway Company.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 90.

An Act respecting Canadian Explosives Limited.

[Assented to 7th March, 1913.]

WHEREAS Canadian Explosives Limited has by its petition represented that it was incorporated by Letters Patent of Canada issued under the provisions of *The Companies Act*, chapter 79 of the Revised Statutes, 1906, dated the eighteenth of November, one thousand nine hundred and ten, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
R.S., c. 79.

1. Canadian Explosives Limited, hereinafter called "the Company," may, if so provided by by-law, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide by coupons or otherwise for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Issue of
share
warrants.

2. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Effect of
share
warrant.

3. The bearer of a share warrant shall, subject to the by-laws of the Company, be entitled on surrendering such warrant for cancellation to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer

Surrender
and cancella-
tion entitle
to entry as
shareholder.

Liability of
Company
for entry

without cancellation.

bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled.

To what extent bearer is to be deemed shareholder.

Warrant will not qualify bearer as a director.

4. The bearer of a share warrant may, if the by-laws so provide, be deemed to be a shareholder of the Company within the meaning of *The Companies Act*, either to the full extent or for such purposes as are prescribed by the by-laws: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Particulars to be entered in register.

5. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share or shares as if he had ceased to be a shareholder, and shall enter in the register the following particulars,—

(a) the fact of the issue of the warrant;

(b) a statement of the share or shares included in the warrant;

(c) the date of the issue of the warrant;

Date of surrender to be entered.

R.S., c. 79, ss. 89, 90.

and until the warrant is surrendered the above particulars shall be deemed to be the particulars which are required by sections 89 and 90 of *The Companies Act* to be entered in the books of the Company in respect of such share or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

Conditions of issue.

6. The by-laws may determine the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant or coupon will be issued in the place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings, and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the by-laws for the time being in force, whether made before or after the issue of such warrant.



3-4 GEORGE V.

CHAP. 91.

An Act to incorporate the Canadian Medical Protective Association.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Robert Wynyard Powell, of the city of Ottawa, in the province of Ontario, J. Olivier Camirand, of the city of Sherbrooke, in the province of Quebec, J. Fenton Argue and John Dickson Courtenay, of the said city of Ottawa, Thomas G. Roddick and E. Persillier Lachapelle, of the city of Montreal, in the province of Quebec, Alexander Primrose and Edmund E. King, of the city of Toronto, in the province of Ontario, all physicians, and all other members of the present unincorporated society known as "The Canadian Medical Protective Association," together with such other persons as become members of the association hereby incorporated are hereby incorporated under the name of "The Canadian Medical Protective Association," Incorporation.
Corporate name.
hereinafter called "the Association."

2. The present officers and executive committee and the provincial executives of the said unincorporated society shall continue to be the officers, executive committee and provincial executives respectively of the Association with all the powers and authorities at present vested in them by the said existing constitution, by-laws and rules of the said unincorporated society, until replaced by others in Officers and committee continued.
accordance

accordance with the constitution, by-laws and regulations of the Association.

Head office. **3.** The head office of the Association shall be at the city of Ottawa, in the province of Ontario, but the Association may by by-law change the head office to any other place in Canada: Provided that no such by-law shall be valid or acted upon unless it is approved by the vote of at least two-thirds of such of the members as are present in person at the annual general meeting of the members of the Association, or at a special general meeting duly called for considering such by-law, nor until a copy of such by-law certified under the seal of the Association has been deposited in the department of the Secretary of State of Canada and published in *The Canada Gazette*.

Objects. **4.** The objects of the Association shall be,—
 (a) to support, maintain and protect the honour, character and interests of its members;
 (b) to encourage honourable practice of the medical profession;
 (c) to give advice and assistance to and defend and assist in the defence of members of the Association in cases where proceedings of any kind are unjustly brought or threatened against them;
 (d) to promote and support all measures likely to improve the practice of medicine.

Powers. **5.** The Association may, for the purposes of carrying out the objects defined in section 4,—

Real estate. (a) acquire by purchase, lease, gift, legacy or otherwise and own and hold any real and personal estate and property, rights or privileges and sell, manage, develop, lease, mortgage, dispose of or otherwise deal therewith

Limitation. in such manner as may be determined: Provided that the annual value of the real estate held by the Association shall not exceed the sum of twenty-five thousand dollars;

Promissory notes, etc. (b) make, accept, draw, endorse, and execute bills of exchange, promissory notes and other negotiable instruments;

Investment of funds. (c) invest the surplus funds of the Association in such manner and upon such securities as may be determined;

Borrowing money. (d) borrow money as and when required for the purposes of the Association;

Generally. (e) do such other lawful acts and things as are incidental or conducive to the attainment of the objects of the Association.

6. The Association in general meeting may pass rules and By-laws. by-laws not contrary to law or to the provisions of this Act.

7. The by-laws of the Association shall not come into force until they have been deposited in the Department of the Secretary of State, been published in *The Canada Gazette* and received the sanction of the Governor in Council, and until one month has elapsed after such publication. When in force.

8. Nothing in this Act shall be deemed to encroach upon the rights and privileges conferred upon any association of physicians having a charter, or which may hereafter have a charter, from the legislature of any province of Canada. Existing charters not affected.

OTTAWA Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 92.

An Act respecting the Canadian Northern Ontario Railway Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1907, c. 72;
1908, c. 93;
1909, c. 63;
1910, c. 79;
1911, c. 57;
1912, c. 75.

1. This Act may be cited as *The Canadian Northern Ontario Railway Act, 1913*.

Short title.

2. The Canadian Northern Ontario Railway Company, hereinafter called "the Company," may construct—

Extension of time for construction of railways.

(a) the lines of railway authorized by sub-paragraphs (i) to (iv), (vi), (ix) and (x) of paragraph (a) of subsection 1 of section 2 of chapter 57 of the statutes of 1911, shortly described as follows:—

1911, c. 57.

- (i) Washago to Kincardine;
- (ii) Arnprior to Gananoque;
- (iii) Pembroke to Cobourg or Port Hope;
- (iv) Frenchman's Bay, northwesterly to Owen Sound;
- (vi) Niagara River to Goderich;
- (ix) Hawkesbury to a point in the county of Leeds or Lanark;
- (x) Parry Sound to North Bay;

(b) Also the line of railway specified in paragraph (c) of the said subsection 1, shortly described as follows:—

Berlin, through Guelph, Acton and Brampton, to Toronto;

(c) Also the line of railway authorized by section 2 of chapter 93 of the statutes of 1908, shortly described as follows:—

1908, c. 93.
From

From between Udney and Rathburn to the Georgian Bay;

Line of
railway
authorized.

(d) Also the following lines of railway:—

- (i) An extension of the line mentioned in paragraph (b) of this section, southwesterly to Stratford, and to St. Mary's, with a branch from such line or extension to Woodstock;
- (ii) From a point at or near Sarnia to Chatham;
- (iii) From Orillia to Goderich *via* Collingwood and Owen Sound, or with a branch to Owen Sound.

Time for
construction
of railways
limited.

3. If the said lines are not commenced within two years and are not completed and put in operation within five years after the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to such parts of the said lines as then remain uncompleted.

1908, c. 93,
and
1911, c. 57,
amended.

4. Section 3 of chapter 93 of the statutes of 1908, and subsection 2 of section 2 of chapter 57 of the statutes of 1911, are repealed.

Issue of
securities.

5. The limit to the amount of the securities which the Company may issue and secure under sections 136 to 146, both inclusive, of *The Railway Act*, with respect to the lines of railway which the Company is now, or it or its predecessors have been heretofore, authorized to construct shall be fifty thousand dollars per mile, and such securities may be issued only in proportion to the length of such lines of railway constructed or under contract to be constructed: Provided that no powers granted under this section shall be exercised so as to impair or prejudice any vested rights of the holders of the Company's securities outstanding at the date of the passing of this Act.

Proviso.

Power and
energy.

6. In so far as the Company has the right to acquire electric or other power or energy which may be transmitted and delivered to any place in the municipalities through which the railway has been constructed, and to receive, transform, transmit, distribute and supply such electric power or energy in any form and to dispose of the surplus thereof and to collect rates and charges therefor, the Company may, subject to the provisions of section 247 of *The Railway Act*, continue to acquire such electric power or energy, but not by expropriation, but no such rate or charge shall be demanded or taken for such electric power or energy until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

7. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Consent of municipalities for telegraph and telephone lines upon highways, etc.

8. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

Consent of municipalities for railway on highways, etc.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 93.

An Act respecting the Canadian Northern Quebec Railway Company.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1907, c. 73;
1908, c. 94;
1909, c. 64;
1911, c. 58;
1912, c. 76.

1. This Act may be cited as *The Canadian Northern Quebec Railway Act, 1913*.

Short title.

2. The Canadian Northern Quebec Railway Company, hereinafter called "the Company," may commence and construct:—

Lines of railway authorized.

(a) The lines of railway authorized by paragraphs (a) and (b) of section 2 of chapter 58 of the statutes of 1911, shortly described as follows:—

- (i) Rawdon northerly to the National Transcontinental Railway, with a branch to Joliette;
- (ii) St. Jerome to St. Eustache.

3. If the said lines are not commenced within two years and are not completed and put in operation within five years after the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to such parts of the said lines of railway as then remain uncompleted.

Time for construction of railways limited.

4. The limit to the amount of the securities which the Company may issue and secure under sections 136 to 146,

Issue of securities.

both inclusive, of *The Railway Act*, with respect to the lines of railway which the Company is now, or it or its predecessors have been heretofore, authorized to construct shall be forty thousand dollars per mile, and such securities may be issued only in proportion to the length of such lines of railway constructed or under contract to be constructed; provided that no powers granted under this section shall be exercised so as to impair or prejudice any vested rights of the holders of the Company's securities outstanding at the date of the passing of this Act.

1911, c. 58,
s. 3 repealed.

5. Section 3 of chapter 58 of the statutes of 1911 is repealed.

Electric or
other power.

6. In so far as the Company has the right to acquire electric or other power or energy which may be transmitted and delivered to any place in the municipalities through which the railway has been constructed and to receive, transform, transmit, distribute and supply such electric power or energy in any form and to dispose of the surplus thereof and to collect rates and charges therefor, the Company may, subject to the provisions of section 247 of *The Railway Act*, continue to so acquire such electric power or energy, but not by expropriation, but no such rate or charge shall be demanded or taken for such electric power or energy until the same has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Consent of
municipali-
ties for tele-
graph and
telephone
lines, etc.,
upon high-
ways, etc.

7. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along, under or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Consent of
municipali-
ties for

8. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law,

of the municipality having jurisdiction over such highway, railway upon street or other public place, and upon terms to be agreed highways, etc.
upon with such municipality.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 94.

An Act respecting the Canadian Northern Railway Company.

[Assented to 10th April, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Canadian Northern Railway Act, 1913.* Short title.

2. The Canadian Northern Railway Company, hereinafter called "the Company," may construct and operate the lines of railway authorized by paragraphs (a), (b), (c) and (h) of section 2 of chapter 92 of the statutes of 1908, shortly described as follows:— Lines of railway authorized.

- (i) Humboldt to Calgary;
- (ii) Maryfield to Lethbridge;
- (iii) North Battleford to Athabaska Landing, with a branch to Green Lake;
- (iv) Neepawa, northwesterly to the South Saskatchewan River.

2. Also the line of railway which the Saskatchewan Midland Railway Company, which has been amalgamated with the Company, was authorized to construct by paragraph (v) of section 7 of chapter 41 of the statutes of Saskatchewan of 1909, shortly described as follows:—

Humboldt to Melfort.

3. Also the following lines of railway:—

- (a) From a point at or near Swift Current, westerly to a point at or near the junction of the Company's authorized lines running to or toward MacLeod and Lethbridge;

(b) From a point at or near Regina, northwesterly to a point at or near Elbow.

Time for construction of railways limited.

4. If the said lines are not commenced within two years and are not completed and put in operation within five years after the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to such parts of the said lines as then remain uncompleted.

Agreement with Canadian Pacific Railway Co. ratified.

3. The agreement made between the Canadian Pacific Railway Company and the Company, dated the first day of January, 1912, a copy of which forms the Schedule to this Act, is hereby ratified and confirmed and declared to be valid and binding on the parties thereto in all respects whatsoever, as fully and completely as if the said agreement and each and every clause thereof were set out at length and enacted in this Act, and, subject to the provisions of *The Railway Act*, the parties to the said agreement are and each of them is hereby authorized and empowered to do whatever may be necessary to give full effect to the provisions of the said agreement for the full term of ninety-nine years from the date of the said agreement, as in the said agreement provided.

Issue of securities.

4. The limit to the amount of securities which the Company may issue and secure under sections 136 to 146, both inclusive, of *The Railway Act*, with respect to the lines of railway which the Company is now, or it or its predecessors have been heretofore, authorized to construct shall be forty thousand dollars per mile of such lines of railway, and such securities may be issued only in proportion to the length of such lines of railway constructed or under contract to be constructed; provided that no powers granted under this section shall be exercised so as to impair or prejudice any vested rights of the holders of the Company's securities outstanding at the date of the passing of this Act; provided also that nothing herein shall affect the right of the Company to issue additional securities pursuant to the provisions of section 3 of chapter 71 of the statutes of 1907 in respect of the Winnipeg terminals, or under the provisions of section 8 of chapter 80 of the statutes of 1910 in respect of its land grant lands.

1907, c. 71, s. 3;
1910, c. 80, s. 8.

Electric power.

5. In so far as the Company has the right to acquire electric or other power or energy which may be transmitted and delivered to any place in the municipalities through which the railway has been constructed, and to receive, transform, transmit, distribute and supply such

electric power or energy in any form and to dispose of the surplus thereof and to collect rates and charges therefor, the Company may, subject to the provisions of section 247 of *The Railway Act*, continue to acquire such electric power or energy, but not by expropriation; but no such rate or charge shall be demanded or taken for such electric power or energy until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Rates and charges.

6. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along, or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Consent of municipalities for telegraph and telephone lines upon highways, etc.

R.S., c. 126.

7. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

Consent of municipalities for railway on highways, etc.

SCHEDULE.

This Agreement made in triplicate this first day of January, A.D., 1912, between the Canadian Pacific Railway Company, hereinafter called "the Pacific Company" of the First Part, and the Canadian Northern Railway Company, hereinafter called "the Northern Company" of the Second Part, witnesseth: That whereas the Northern Company is about to establish its own yards, shops and other railway facilities at or in the vicinity of the city of Regina but desires to have track connection between its railway and the railway of the Pacific Company at the points indicated by the letters "A", and "B" on the plan hereto annexed and to operate its trains over certain tracks of the Pacific Company hereinafter mentioned and have the benefit and enjoyment of the passenger

facilities of the Pacific Company at Regina Station; and whereas the Pacific Company has agreed thereto upon and subject to the terms, conditions and provisions hereinafter contained. Therefore the parties hereto respectively covenant and agree each with the other of them as follows:—

1. The Pacific Company shall, upon and subject to the terms and conditions hereinafter contained and to the observance and performance thereof by the Northern Company permit the Northern Company to connect, and during the continuance of this Agreement to maintain, the connection of its tracks with the tracks of the Pacific Company at the said points indicated by the letters "A" and "B" shown upon the said plan and to operate its trains over the tracks of the Pacific Company indicated in yellow on the said plan (hereinafter referred to as the Joint Tracks) and to have the benefit and enjoyment of the passenger station and passenger facilities of the Pacific Company at Regina, all upon the terms and conditions hereinafter particularly set out and in conjunction with the Pacific Company and any other company or companies to which the Pacific Company may give similar privileges. The said Joint Tracks and the roadbed thereof and a strip of land occupied thereby as indicated outlined in red upon the attached plan, the said passenger station and the passenger facilities of the Pacific Company, at Regina and the lands occupied thereby as indicated outlined in green upon the attached plan and all additional lands, railway facilities and appurtenances as may, pursuant to clauses five or six hereof or by mutual agreement between the parties hereto be acquired or set apart or provided or constructed for the use or benefit of the parties hereto upon or under the terms of this agreement, are hereinafter, for the purposes of this Agreement, referred to collectively as the "Joint Premises."

2. The Pacific Company will, for the purpose of giving the Northern Company access to the Northern Company's local freight yard and sheds at Regina proposed to be established on the Northern Company's own lands at some point South of the Joint Tracks, east of Broad Street and west of Winnipeg Street, permit the Northern Company to connect the track of the Northern Company leading to said freight yard with the Joint Tracks at some point to be mutually agreed upon between Winnipeg Street and a point three hundred feet southeasterly from the east limit of Winnipeg Street, and during the continuance of this Agreement to maintain such connection.

3. The Pacific Company will permit the Northern Company to connect a branch line of railway proposed

to be constructed by the Northern Company in a south-westerly direction from Regina with the Joint Tracks at some point between Winnipeg Street and a point three hundred feet south-easterly from the east limit of Winnipeg Street, and during the continuance of this Agreement to maintain such connection.

4. The Northern Company is to operate its own trains over the said Joint Tracks with its own engines and train crews. It is understood that the said Joint Tracks are to be used by the Northern Company solely for the purposes (a) of operating thereover the through freight trains of the Northern Company without stopping upon the said Joint Tracks and (b) of the operation of through and local passenger trains of the Northern Company with the privileges of stopping only at the station for the receiving and delivering of its passenger, baggage and express traffic but without the privilege of otherwise stopping upon the said Joint Tracks.

5. The Pacific Company is exclusively, except in respect of duties usually performed by trainmen including train baggagemen, to perform all services in connection with the handling of all passenger and baggage traffic at the said station for both companies, such handling to include the selling of tickets and the checking and handling of baggage. The express business of the Northern Company is to be handled by the Northern Company's own employees and suitable space is to be provided therefor at the said station; the location and character of the said space to be determined by the Pacific Company but to be relatively equal to the space to be provided for the like purpose for the Pacific Company or the Dominion Express Company, due regard being had to the volume of express business being done by each party hereto respectively at the said station.

6. The maintenance, repair and operation of the Joint Premises shall, except as otherwise herein provided, be done by the Pacific Company and all work incidental thereto shall be done under the sole direction and supervision of the proper officers of the Pacific Company.

7. The Pacific Company may from time to time during the continuance of this Agreement acquire or set apart for the use or benefit of the parties hereto upon and under the terms of this Agreement, such additional lands at Regina as in the opinion of the Pacific Company may be required for the accommodation of the traffic and business of the parties hereto intended to be carried on and done hereunder on the Joint Premises; and the Northern Company will from and after the date of acquisition or of setting apart of the said

additional lands pay to the Pacific Company interest at the rate of four and one-half per centum per annum (payable monthly at the same times and in the same manner as the payment of rental in sub-paragraphs (a) and (b) of Clause 24 hereof mentioned) upon the amount of one-half the then value of the said additional lands, the basis for determining such value to be the same as in the case of land of individuals expropriated by a Railway Company under the provisions of *The Railway Act* (Dominion).

8. The Pacific Company may from time to time provide or construct upon any land which shall at such time or times be comprised in the Joint Premises such additional railway facilities and appurtenances (including new station buildings) as in the opinion of the Pacific Company may be required for the operation and handling of the traffic and business of the parties hereto and may re-arrange, rebuild, alter or make permanent improvements, additions or extensions to, or substitutions for any railway facilities or appurtenances including buildings now or at any time hereafter comprised in the Joint Premises and shall provide, make or construct such works and things in connection with the said Joint Premises or any portion thereof as have been or may from time to time be ordered or required by the Board of Railway Commissioners for Canada or any other properly constituted authority; and the Northern Company shall, in addition to the other payments to be made under this Agreement, pay to the Pacific Company from and after the time the expense for or in respect of the foregoing is or has been incurred and during the continuance of this Agreement interest at the rate of four and one-half per centum per annum (payable monthly at the same times and in the same manner as the payment of rental in sub-paragraphs (a) and (b) of clause 24 hereof mentioned) upon the amount of one-half the cost of any and all such additional railway facilities and appurtenances, permanent improvements, buildings and rebuildings, alterations, additions, substitutions, works and things. Provided that for the purposes of this clause there shall be deducted from the amount of one-half the actual cost of the passenger station building proposed to be erected for the use and benefit of the parties hereto upon and under the terms of this Agreement the sum of Eleven thousand seven hundred and fifty dollars (\$11,750) being the amount of one-half the estimated present value of the existing passenger station building comprised in the Joint Premises and the interest at the rate of four and one-half per centum per annum to be paid by the Northern Company as hereinbefore in this clause mentioned shall with respect to that particular item be calculated accordingly.

9. The Northern Company shall, at its own expense,

construct the track connections at all points of junction of the tracks of the Northern Company with the Joint Tracks and shall provide the necessary interlocking and other protective appliances at the said junctions (including interlocking connections with all the Joint Tracks and shall provide the necessary interlocking and other protective switches of the Pacific Company within the respective interlocking zones) and shall from time to time construct and provide such other appliances for the protection or maintenance of or in connection with the said junctions as may be required or ordered by the Board of Railway Commissioners for Canada. The Northern Company's track to its local freight sheds, the branch line to run Southwest from Regina and the line from the East connecting at the point "A" shall all be comprised within one interlocking plant. The Pacific Company shall maintain, repair and operate the said interlocking and other protective appliances at the said points of junction, and the Northern Company shall pay to the Pacific Company all expenses thereof at the times and in the manner hereinafter mentioned.

10. The trains of the several classes of the Pacific Company shall have precedence on the Joint Premises over the trains of the Northern Company of the same or inferior classes, and the superior trains of the Northern Company shall have precedence over the trains of the Pacific Company of inferior classes.

11. The Pacific Company shall not pay or be liable for any mileage or other compensation for or in respect of any engine or car brought upon the Joint Premises by the Northern Company, but the Northern Company shall, as between the parties hereto pay and be liable for and hereby covenants to indemnify the Pacific Company against any claim or claims for any such mileage or other compensation for or in respect of any such engines or cars.

12. The enginemen, trainmen, and other employees of the Northern Company, when on or in charge of its trains and engines on the Joint Premises shall be subject to and be governed by the rules, regulations and orders of the Pacific Company in force for the time being and the movement and handling of the said trains and engines on the Joint Premises shall be subject to the said rules, regulations and orders and to any direction of the Pacific Company or of its officials which it or they may deem necessary or expedient for the reasonable and proper use and operation of the Joint Premises. The Northern Company shall, on demand, for reasonable cause, stated by the Pacific Company, remove from employment in or about the Joint Premises any such engineman, trainman or other employee of the Northern

Company. All regular trains of the Northern Company using the Joint Premises shall be shown on the working time cards of the Pacific Company but if changes are made by the Northern Company at times when the Pacific Company is not getting out its time cards the Northern Company will pay all the expense of new time cards.

13. All officials of the Pacific Company having jurisdiction over and charge of the Joint Premises and all agents, servants and employees of the Pacific Company whatsoever (excepting enginemen and trainmen) employed on or engaged in the construction, maintenance, repair, renewal or operation of the Joint Premises or the handling of traffic or doing business thereon or in dealing with business respecting traffic thereon, shall, while so employed or engaged, be deemed to be common agents or employees of both parties hereto. The Pacific Company shall, on demand, for reasonable cause stated by the Northern Company, remove from employment in or about the Joint Premises any such agent, servant or employee of the Pacific Company.

14. All loss, damage or injury whether to the property of either Company party hereto or of any person or company whether received by either party or in its care or custody or otherwise or to any person or company in respect of property or person while such property or person is on the Joint Premises or if not on the Joint Premises caused or occasioned by or arising out of anything originating, transacted or done within the purview of this Agreement on said Joint Premises or to the Joint Premises and generally all loss, damage and injury of whatsoever description by whomsoever sustained, caused by the negligence of one Company or its exclusive employee (not being a common agent or employee as above described) shall be assumed and borne by such Company, but this clause shall not give to any third party any claim or cause of action.

15. In case of loss, damage or injury such as is referred to or described in the next preceding clause hereof caused by the negligence of a common agent or employee as above described, the amount thereof shall be charged to and paid as part of maintenance and repair expenses for the month in which such loss, damage or injury happened, but this clause shall not give any third party any claim or cause of action.

16. In case of loss, damage or injury such as is referred to or described in clause 14 hereof caused jointly by the negligence of a common agent, employee or employees as above described and of an exclusive employee or employees of one of the parties, the amount thereof shall be assumed and borne as to one-half thereof by the party whose exclusive employee contributed to the same and the remaining

one-half thereof shall be charged to and paid as part of maintenance and repair expenses for the month in which such loss, damage or injury happened, but this clause shall not give any third party any claim or cause of action.

17. The parties hereto shall severally assume and bear all loss, damage and injury sustained by them respectively not coming under clauses fourteen, fifteen, or sixteen hereof.

18. In case of any wreck occurring within or upon the Joint Premises caused as mentioned in one or the other of clauses fourteen, fifteen and sixteen hereof, the expense of removing the same and of repairs to the Joint Premises necessitated by such wreck, shall be borne accordingly as determined by clauses fourteen, fifteen and sixteen hereof.

19. In case of any wreck occurring within or upon the Joint Premises proximately caused by negligence of both parties hereto or their respective employees (not common agents or employees as above described) or caused by inevitable accident, the expense of removing the same and of repairs to the Joint Premises necessitated by such wreck shall be expenses chargeable to maintenance and repair for the month in which such wreck occurred.

20. In case of any wreck occurring within or upon the Joint Premises proximately caused by the negligence of a common agent, employee or employees as above described and of an exclusive employee or employees of one of the parties, the expense of removing the same and of repair to the Joint Premises necessitated by such wreck shall be borne as to one-half thereof by the party whose exclusive employee contributed to the same and the remaining one-half shall be an expense chargeable to maintenance and repair for the month in which such wreck occurred.

21. In case proceedings are commenced against either party hereto for loss, damage or injury which the other agrees herein to exclusively assume or bear the company proceeded against may give notice thereof to the other and thereupon the last named company shall assume the defence of said proceedings and save the company proceeded against harmless from all loss and costs. And in case proceedings are commenced against both parties hereto for loss, damage or injury which is to be exclusively assumed or borne by one of them alone, such one shall assume the defence of said proceedings and save the other party hereto harmless from all loss and costs. In case proceedings are commenced against one party hereto for loss, damage or injury for which hereunder both parties may be liable to contribute the other party will join or assist in defending and any costs which may be awarded shall be borne in the proportions provided for in clauses fourteen, fifteen and sixteen as the case may be.

22. In case the parties cannot agree under which of the provisions contained in clauses fourteen, fifteen, sixteen, seventeen, eighteen, nineteen and twenty hereof, the loss, damage, injury or expense hereinbefore referred to shall be assumed, charged or borne, the question as to how the said loss, damage, injury or expense was occasioned shall be referred to arbitration in the manner hereinafter provided for the settlement of differences and disputes arising under this Agreement and in all such cases the award of the arbitrators shall be final in determining the question in dispute, and shall prevail over any contrary finding of a court or jury in an action instituted by any third person or company, and in which both the parties hereto are not represented; provided however, that if both parties are represented the finding of such court or jury shall prevail.

23. The Northern Company shall, at its own expense, provide and supply the passenger tickets, baggage checks and other forms and stationery required for its own business, and shall at its own expense do its own advertising, including the advertising in Regina of its train service. It is understood that the Northern Company is to be permitted to advertise its train service in the Joint Passenger Station in the same manner as similar advertising of the Pacific Company.

24. The Northern Company agrees to pay during the continuance of this Agreement to the Pacific Company for the privileges hereby granted, in addition to all other payments herein provided for, the amounts hereinafter mentioned in the manner and at the times hereinafter mentioned, that is to say:—

(a) A rental of six hundred dollars (\$600) per month (being on the basis of interest at the rate of Four and one-half per centum per annum on one-half the sum of Three hundred and twenty thousand dollars (\$320,000) the estimated present value of the lands comprised in the Joint Premises exclusive of improvements thereon) payable at the offices of the Pacific Company at Montreal on the first day of each and every month, the first of such payments being rental for the month of January, 1912, to be paid on the first day of February, 1912.

(b) A further rental of eighty-one dollars and eighteen cents (\$81.18) per month payable at the offices of the Pacific Company at Montreal on the first day of each and every month, the first of such payments of rental for the month of January, 1912, to be paid on the first day of February, 1912, such rental of eighty-one dollars and eighteen cents (\$81.18) being on the basis of interest at the rate of four and one-half per centum per annum on one-half of the sum

of forty-three thousand three hundred dollars (\$43,300) the estimated present value of the improvements on the lands comprised in the Joint Premises, including tracks, ballasting, switches, station, platform, baggage and express buildings.

(c) Thirty per cent of the cost and expense of maintenance and repair of the Joint Premises including the maintenance and operation of the passenger station and services incidental thereto.

(d) The full amount of all taxes, rates and assessments (if any) whether Governmental, Municipal or otherwise charged against, payable upon or in respect of the said Joint Premises or any portion thereof liability for which shall or may arise or be occasioned by reason or as a result of the execution of this Agreement or the granting by the Pacific Company to the Northern Company of any of the rights, benefits or privileges herein mentioned or from the use or enjoyment by the Northern Company of the Joint Premises or any portion thereof as by this Agreement contemplated, and one-half the amount of all other taxes, rates and assessments (if any) whether Governmental, Municipal or otherwise charged against, payable upon or in respect of the said Joint Premises or any portion thereof liability for which may arise or be occasioned otherwise than as aforesaid and one-half of any payments or contributions made by the Pacific Company for or in connection with sewer or water connections, boulevards, pavements, street cleaning and the like, required, used or intended for the benefit of the Joint Premises or some portion thereof.

(e) Thirty per cent of all insurance premiums, if any, payable in respect of any building or structure comprised in the Joint Premises.

(f) Thirty per cent of all such other cost and expense incurred in the maintenance and repair of the Joint Premises not included in the foregoing, but which according to the usual practice of railway companies is properly chargeable to maintenance and repair.

25. All Insurance Moneys received by the Pacific Company in respect of damage to or the destruction of any building or facility comprised in the Joint Premises by fire or otherwise shall be expended by the Pacific Company in the repair of such damage or the replacement of such building or facility so destroyed.

26. The Pacific Company shall, upon request, in the event of the temporary failure of the Northern Company's water tank furnish from the Pacific Company's water supply at Regina all water required at Regina by the Northern Company to such an extent as may reasonably be done

without impairing the supply required for its own purposes; the Northern Company agreeing to pay to the Pacific Company for all water so supplied at the rate of fifteen (15) cents for every one thousand imperial gallons thereof.

27. The Pacific Company is to render to the Northern Company as soon as possible after the end of each month, bills showing moneys which have become due owing or payable to or earned by the Pacific Company under the provisions of this agreement during such preceding month (except in respect of interest and rental under clauses seven and eight and sub-paragraphs (a) and (b) of clause 24 hereof respectively); and the Northern Company shall pay to the Pacific Company within thirty days after the receipt of each such bill the amount owing to the Pacific Company as indicated thereby.

28. Should the Northern Company fail to make any of the payments herein stipulated to be made when they shall become due and payable as herein provided and such failure shall continue for sixty days after demand for payment shall have been made in writing by the Pacific Company the Pacific Company may upon at least thirty days notice in writing to the Northern Company (unless within such thirty days the Board of Railway Commissioners for Canada upon the application of the Northern Company after ten days' notice to the Pacific Company orders otherwise) exclude the Northern Company from the benefit and enjoyment of the Joint Premises or any portion thereof or of this agreement as the Pacific Company may deem advisable and this agreement and all the rights and privileges of the Northern Company hereunder shall thereupon, at the option of the Pacific Company, cease and determine. Such demand in writing and such notice may be made and given by being sent by registered letter prepaid addressed to the Canadian Northern Railway Company, Winnipeg, Manitoba, and the sixty and thirty days respectively above mentioned shall run from the date of mailing the said demand or notice respectively. Upon the termination of this Agreement from any cause whatsoever the Northern Company shall immediately disconnect its tracks from the tracks of the Pacific Company at the said points of junction and failing to do so, the Pacific Company may disconnect the said tracks at the expense of the Northern Company.

29. It is understood and agreed that neither this Agreement nor anything herein contained shall in any way limit the right of the Pacific Company to grant to any other railway company or companies upon such terms as the Pacific Company may deem proper privileges in respect of the Joint Premises or any part thereof (similar to those hereby given to the

Northern Company); Provided, however, that upon the admission of any other railway company or companies to the use or benefit of the Joint Premises or any portion thereof in conjunction with the Pacific Company and the Northern Company there shall, for the purpose of meeting the altered conditions, be an equitable readjustment of the terms and provisions of this agreement including a readjustment of the payments to be made by the Northern Company for the use and enjoyment of the Joint Premises as herein provided, (due regard being had to the extent of the use and benefit of the Joint Premises by the several companies using the same). In the event of the parties hereto being unable to agree upon a proper readjustment of any or all of such terms and provisions the same shall be referred to the Board of Railway Commissioners for Canada for settlement and the settlement and determination of the said Board in respect thereof, shall be final and binding upon the parties hereto; and the terms and provisions so agreed upon or so settled and determined shall thereafter constitute the agreement between the parties in respect of the matters covered thereby as fully as if the same were set out herein and formed a part of this agreement; but except in so far as the terms and provisions of this agreement may be so varied by agreement or by the settlement and determination of the Board this agreement shall be in no way varied or altered. It is further understood that upon any readjustment (if any) of rentals under the provisions of this clause, the rental payable by the Northern Company based upon the value of the lands comprised in the Joint Premises exclusive of the improvements thereon under clause seven or sub-paragraph (a) of Clause 24 hereof is not to be increased by reason of any increased value in such lands after the date of this agreement nor is the Northern Company upon any such readjustment to have the benefit of any increase in the value of such lands, it being the intention that upon any such readjustment the Pacific Company alone is to obtain the benefit of any increase which may take place in the value of such lands, and of any rental payable by any admitted company in respect of any such increased value.

30. Every disagreement which may arise between the parties hereto as to the construction of this agreement, or any part thereof, or as to the rights or liabilities of the parties or of either of them under it, shall be decided by arbitration; the Northern Company and the Pacific Company each to appoint one arbitrator and the two so appointed to appoint a third; but if either party fail for two weeks after appointment by the other party to appoint its arbitrator, or if the two when appointed fail for that period to appoint a third, then any Judge of the Court of King's Bench of the province

of Manitoba or of the Supreme Court of Saskatchewan, may appoint an arbitrator instead of such party or instead of the two arbitrators as the case may be and the award in writing of a majority of the three arbitrators shall be conclusive and binding upon the parties hereto.

31. This agreement shall, subject to the sooner termination thereof as herein provided, continue in force for a period of twenty years from the date hereof, provided, however, that the Pacific Company will join with the Northern Company in applying to Parliament for the necessary legislation confirming and ratifying the agreement and making it effective during a term of ninety-nine years from the date hereof, and when so ratified and confirmed, this Agreement shall be and continue in force for the said term of ninety-nine years from the date hereof.

In witness whereof the parties hereto have hereunto caused to be affixed their respective corporate seals and the hands of their proper officer to be set.

THE CANADIAN PACIFIC RAILWAY COMPANY.

[SEAL]

T. G. Shaughnessy,
President.

H. C. Oswald,
Assistant Secretary.

THE CANADIAN NORTHERN RAILWAY COMPANY.

[SEAL]

Wm. Mackenzie,
President.

R. P. Ormsby,
Asst. Secretary.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 95.

An Act to incorporate the Canadian North Western Railway Company,

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Lord Howard de Walden, Lord Clinton, Lord Montague of Beaulieu, Frederick W. Baker, director of public companies, Harry E. Brittain, director of public companies, all of London, England; William Forbes Morgan, Jr., of Paris, France, and of New York, in the United States, banker, and Toussaint Brosseau, of Montreal, Canada, advocate and King's Counsel together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Canadian North Western Railway Company," hereinafter called "the Company." Incorporation.
Corporate name.

2. The persons named in section 1 of this Act are hereby constituted provisional directors of the Company. Provisional directors.

3. The capital stock of the Company shall be fifteen million dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.
Calls.

4. The head office of the Company shall be in the city of Montreal in the province of Quebec. Head office.

5. The annual meeting of the shareholders shall be held on the third Thursday of September. Annual Meeting

Directors. **6.** The number of directors shall not be less than five nor more than nine, one or more of whom may be paid directors.

Line of railway described. **7.** The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one half inches, from the city of Winnipeg, in the province of Manitoba, thence southwesterly to Manitou, thence westerly to Lethbridge, in the province of Alberta, passing through or near Alcester in the province of Manitoba and through or near Alameda and Weyburn in the province of Saskatchewan, thence from Lethbridge northeasterly to North Battleford, passing through or near Benton, thence northeasterly to Prince Albert, passing through or near Shellbrook, thence northeasterly to Le Pas, and from Le Pas southerly to Brandon in the province of Manitoba, passing through or near Dauphin or Grand View, thence southeasterly to Manitou, thence southeasterly and easterly to Dominion City, passing through or near Glencross and Altona, thence northeasterly to a point in township five, range six, east of the first meridian, in the province of Manitoba, thence northwesterly to the city of Winnipeg.

Consent of municipalities. **8.** The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over the said highway, street or other public place, and on terms to be agreed upon with such municipality.

Vessels. **9.** The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property.

Hotels. **10.** The Company may, for the purposes of its undertaking, construct, acquire or lease buildings for hotels and restaurants along its railway, and may carry on such business in connection therewith as tends to the comfort and convenience of the travelling public; and may lay out, manage and lease parks and summer pleasure resorts, with the approval expressed by by-law of the municipality having jurisdiction over the place in which such parks and

Parks.

summer pleasure resorts are situated, and upon terms to be agreed upon with such municipality.

11. For the purposes of its undertaking and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built; and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Electric power.

Transmission lines.

Rates.

12. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers and connect its own lines with the lines of, or lease its own lines to any such companies.

Telegraphs and telephones.

Contracts with other companies.

2. No toll or charge shall be demanded or taken for the transmission of any messages or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

Tolls or charges.

3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with *The Railway Act*, shall apply to the telegraphic business of the Company.

R.S., c. 126.

13. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality,

Consent of municipalities required for telegraph and telephone lines upon highways, etc.

R.S., c. 126.

pality, without the consent, expressed by by-law, of such municipality.

Issue of securities.

14. The securities issued by the Company shall not exceed thirty-five thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of security for purposes other than railway.

15. In addition to the securities authorized by section 14 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

Limitation.

Agreements with other companies.

16. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Grand Trunk Pacific Railway Company, the Canadian Pacific Railway Company, the Canadian Northern Railway Company, or with any of them.

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3-4 GEORGE V.

CHAP. 96.

An Act respecting the Canadian Pacific Railway Company.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Canadian Pacific Railway Act, 1913.* Short title.

2. The Canadian Pacific Railway Company, hereinafter called "the Company," may lay out, construct and operate the following lines of railway, namely:— Lines of railway authorized.

(a) From a point at or near Snowflake on the Windygates subdivision and running in a westerly direction to a point in or near section fourteen, township 1, range 11, west of the principal meridian, all in the province of Manitoba, a distance of about nine miles;

(b) From the present terminus of the Gimli branch, at or near Gimli, in a northerly direction for about sixty miles through range 3 or 4 to some point on or near the west shore of Lake Winnipeg, thence in a northwesterly direction to a point on the Dauphin river, all in the province of Manitoba;

(c) From a point at or near Cayley on the Macleod branch in a southerly and southwesterly direction to a point at or near Burmis on the Crowsnest subdivision, all in the province of Alberta;

(d)

(d) From a point on the Company's Kleinburg-Sudbury branch between Bolton Junction and Palgrave, thence in a westerly direction through the counties of Peel and Halton to a point on the Ontario and Quebec Railway at or near Campbellville, all in the province of Ontario;

(e) From a point on the Company's railway south of Forsythe street in Hochelaga ward, Montreal, thence in a northerly direction through the counties of Hochelaga and L'Assomption to a connection with the Company's railway at or near L'Epiphanie, all in the province of Quebec.

Time for
construction
limited.

3. The Company may within two years after the passing of this Act commence to construct any of the lines of railway authorized by section 2 of this Act, and may within five years after the passing of this Act complete any of the said lines of railway, and if within the said periods respectively any such line is not so commenced or is not so completed and put in operation the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of that line of railway as then remains uncompleted.

Time for
construction
extended.

1901, c. 54,
s. 1; 1907,
c. 74, s. 3;
1911, c. 59
s. 2.

4. The Company may within two years after the passing of this Act commence to construct, and within five years after the passing of this Act complete and put in operation, the following lines of railway which it is authorized to construct by section 1 of chapter 54 of the statutes of 1901 (as amended by section 4 of chapter 74 of the statutes of 1907), by section 3 of the said chapter 74 of the statutes of 1907, and by section 2 of chapter 59 of the statutes of 1911, namely:—

(a) From Stonewall or Teulon or a point between those two places or north of Teulon, thence in a direction generally northwest to a point on the east shore of Lake Manitoba between Marsh Point and the north boundary of township 25, all in the province of Manitoba;

(b) From a point in townships 32 to 34, ranges 21 to 23, west of the second meridian, in a northerly direction into the town of Prince Albert, a distance of about one hundred and thirty miles, all in the province of Saskatchewan;

(c) From a point on the Company's Crowsnest branch in section twelve, township 9, range 26, west of the fourth meridian, thence westerly along the north side of the Oldman River to a point in section thirty-six, township 7, range 4, west of the fifth meridian, all in the province of Alberta;

(d)

(d) From a point at or near Tantallon on its Pheasant Hills branch to a point at or near Craven on its branch northerly from Regina, all in the province of Saskatchewan;

(e) From a point at or near Dysart or Lipton in a southerly and southeasterly direction to a junction with the line described in paragraph (d) of this section.

2. If, within the said periods respectively, any of the said lines are not commenced or are not completed and put in operation the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of that line as then remains uncompleted.

Time for construction limited.

5. Paragraph (c) of section 4 of chapter 59 of the statutes of 1911 is amended by adding at the end of the said paragraph the words "or at a point on the Alberta Railway and Irrigation Company's railway in or near the town of Stirling."

1911, c. 59 amended.

Line of railway described.

6. The Company may issue bonds, debentures or other securities to the amount of thirty thousand dollars per mile of the railways described in paragraphs (a), (b) and (c) of section 2, and in section 4 of this Act, and to the amount of fifty thousand dollars per mile of the railway described in paragraph (d) of section 2 of this Act, and to the amount of one hundred thousand dollars per mile of the railway described in paragraph (e) of section 2 of this Act, which bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of securities.

7. Any such issue shall be made according to the provisions of the Company's Special Act as defined by section 2 of *The Railway Act*, and in all respects not inconsistent with those provisions, the provisions of sections 136 (except those of subsection 1 thereof) to 146, both inclusive, of *The Railway Act* shall also apply to any such issue.

R.S., c. 37, s. 2 and ss. 136 to 146, apply.

8. In so far as the Company has the right to acquire electric or other power or energy which may be transmitted and delivered to any place in the municipalities through which the railway or works have been constructed, and to receive, transform, transmit, distribute and supply such electric power or energy in any form and to dispose of the surplus thereof and to collect rates and charges therefor, the Company may, subject to the provisions of section 247 of *The Railway Act*, continue to so acquire such electric power or energy, but not by expropriation; but no such rate or charge shall be demanded or taken for such electric

Electric power.

Rates and charges.

power or energy until the same has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Consent of municipalities for telegraph and telephone lines upon highways, etc.

9. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

R.S., c. 126.

Consent of municipalities for railway on highways, etc.

10. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

Applications of ss. 9 and 10.

11. The provisions of sections 9 and 10 of this Act shall extend and apply only to the lines of railway mentioned in sections 2 and 4 of this Act.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 97.

An Act to incorporate Canadian Provident Insurance Company.

[Assented to 16th May, 1913.]

WHEREAS the persons hereinafter named have by Preamble.
their petition prayed that it be enacted as hereinafter
set forth, and it is expedient to grant the prayer of the
said petition: Therefore His Majesty, by and with the
advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1. George Bury, railroad vice-president, of the city of Incorporation.
Winnipeg in the province of Manitoba, Honourable George
Robson Coldwell, King's Counsel, of the city of Brandon
in the province of Manitoba, Ainslee L. Young, banker,
of the town of Souris in the province of Manitoba, Albert
Edward McKenzie, merchant, Ernest Lisle Christie, mer-
chant, Alexander Douglas Rankin, merchant, Charles
John Whillier, accountant, and Francis Joseph Clark,
insurance manager, all of the city of Brandon in the province
of Manitoba, together with such persons as become share-
holders in the company, are hereby incorporated under
the name of "Canadian Provident Insurance Company," Corporate name.
hereinafter called "the Company."

2. The persons named in section 1 of this Act shall be Provisional directors.
the provisional directors of the Company.

3. The capital stock of the Company shall be five Capital stock.
hundred thousand dollars.

4. The amount to be subscribed before the general Subscription before general meeting.
meeting for the election of directors is called shall be one
hundred thousand dollars.

5. The head office of the Company shall be in the city Head office.
of Brandon in the province of Manitoba.

Business authorized.

6. The Company may make contracts of fire insurance, also contracts of plate glass insurance, steam boiler insurance, and inland transportation insurance, as defined by *The Insurance Act, 1910*, and contracts of marine insurance.

Payments before commencing fire insurance.

7. The Company shall not commence the business of fire insurance until at least two hundred and fifty thousand dollars of the capital stock have been *bona fide* subscribed and at least one hundred thousand dollars have been paid thereon.

Plate glass, steam boiler and inland transportation insurance.

2. The Company shall not commence the business of plate glass insurance, steam boiler insurance, and inland transportation insurance, in addition to fire insurance, until its subscribed capital has been increased to at least three hundred and fifty thousand dollars, and at least one hundred and fifty thousand dollars have been paid thereon.

Marine insurance.

3. The Company shall not commence the business of marine insurance, in addition to the class or classes of insurance for which a license has been granted, until a further sum of one hundred and fifty thousand dollars of its capital stock has been subscribed and seventy-five thousand dollars have been paid thereon.

Additional payments.

4. In addition to the several sums required to be paid upon capital stock as hereinbefore provided, a further sum of seventy-five thousand dollars shall be paid thereon within five years after the issue of a license to the Company, in such manner that at no time within the said five years shall the portion which may have been paid be less than the amount which would have been paid by an annual payment of fifteen thousand dollars.

Power to acquire rights, etc., of another company.

8. The Company may acquire the rights, shares and property of the Canadian-Phoenix Insurance Company incorporated by chapter 102 of the statutes of Manitoba of the year 1906 as amended by chapter 77 of the statutes of Manitoba of the year 1911, and in such case the Company shall perform and discharge all duties, obligations and liabilities of the last mentioned company.

Application of Insurance Act.

9. Except as otherwise provided by this Act, the Company shall have all the powers, privileges and immunities and shall be subject to all the liabilities and provisions in *The Insurance Act, 1910*, so far as they may be applicable to the Company.

1910, c. 32.



3-4 GEORGE V.

CHAP. 98.

An Act respecting the Canadian Western Railway Company.

[Assented to 10th April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1909, c. 69;
1911, c. 61.

1. The Canadian Western Railway Company may commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete its railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not so completed and put in operation within the said periods, respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for construction of railway extended.

2. Paragraph (a) of section 7 of chapter 69 of the statutes of 1909 is amended by striking out the first four lines thereof and substituting therefor the following:—

1909, c. 69 amended.

“(a) From a point on the international boundary at or near the town of Coutts, in the province of Alberta, thence in a northerly and westerly direction to the town of Cardston; thence in a northwesterly direction through the town of Pincher Creek.”

Line of railway described.

3. Section 1 of chapter 61 of the statutes of 1911 is repealed.

1911, c. 61, s. 1 repealed.

1909, c. 69,
s. 9 amended.

4. Section 9 of chapter 69 of the statutes of 1909 is amended by inserting after the word "acquire," in the third line thereof, the words "but not by expropriation," and by striking out the words "authorized to be" in the fifth line thereof.

S. 10
amended.

5. Section 10 of the said chapter 69 is amended by adding thereto the following: "or to sell, dispose of or distribute power or energy within or for use within the limits of the municipality, without the consent, expressed by by-law, of such municipality."

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3-4 GEORGE V.

CHAP. 99.

An Act respecting the Cariboo, Barkerville and Willow River Railway Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1911, c. 64.

1. The Cariboo, Barkerville and Willow River Railway Company, hereinafter called "the Company," may lay out, construct and operate the following extensions or branch lines of railway:—

Branch lines authorized.

(a) From a point at the southern end of the Company's line at or near the town of Barkerville, thence by the most feasible route in a southeasterly direction, following the general direction or valley of Williams creek and Pleasant valley, to a point at or near Cunningham creek; thence southerly and southwesterly following the general direction or valleys of Cunningham creek, Swamp river, Cariboo lake, and the north fork of Quesnel river, to a point at or near Quesnel forks; thence southerly by the most feasible route following the general direction or valley of the south fork of the Quesnel river and the west shore of Quesnel lake, to a point at or near the mouth of Horse Fly river; thence southeasterly, and following the general direction or valley of the Horse Fly river, to a point near its source; thence southeasterly to a point at or near Clear Water river; thence southerly following the general direction or valley of the Clear Water river to a point at or near its junction with the North Thompson river; and,

(b) From a point on the main line of the Company's railway, situate about seventeen miles or thereabouts from

its northern terminus, and thence in an easterly direction by the most feasible route to a point at or near Bear river, a distance not exceeding twenty miles.

Issue of
securities on
branch lines.

2. The securities issued by the Company in respect of the extensions or branch lines authorized by section 1 of this Act shall not exceed thirty-five thousand dollars per mile of railway, and may be issued only in proportion to the length of such extension or branch line constructed or under contract to be constructed.

Time for
construction
extended.

3. The Company may, within two years after the passing of this Act, commence the construction of its railway, extensions and branch lines, and expend fifteen per cent of the amount of its capital stock thereon, and may, within five years after the passing of this Act, complete the said railway, extensions and branch lines, and put them in operation; and if, within the said periods respectively, the said railway, extensions and branch lines are not so commenced and such expenditure is not so made, or the said railway, extensions and branch lines are not so completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway, extensions and branch lines as then remains uncompleted.

Consent of
municipali-
ties.

4. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed on with such municipality.

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3-4 GEORGE V.

CHAP. 100.

An Act respecting the Casualty Company of Canada.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1911, c. 63.

1. Notwithstanding anything in section 78 of *The Insurance Act, 1910*, or in the Act, chapter 63 of the statutes of 1911, incorporating The Casualty Company of Canada, the said chapter shall be deemed not to have expired and ceased to be in force after the eighteenth day of May, 1913, but to have continued and to be in force, for all purposes thereof whatsoever, until the nineteenth day of May, 1915; and the Minister of Finance may, at any time not later than the eighteenth day of May, 1915, and subject to all other provisions of *The Insurance Act, 1910*, grant to that company the license necessary for carrying on business.

Extension of time for obtaining license.
1910, c. 32, s. 78.

2. If the company has not obtained the said license before the nineteenth day of May, 1915, the said chapter 63 shall then expire and cease to be in force thereafter, except for the sole purpose of winding up the company's business, but otherwise shall remain in full force and effect for all purposes thereof whatsoever.

Effect of license.

3. Section 3 of chapter 63 of the statutes of 1911 is hereby repealed and the following is substituted therefor:—

1911, c. 63.
New s. 3.

"3. The capital stock of the Company shall be five hundred thousand dollars."

Capital stock.

Accident and sickness insurance.

4. Section 7 of the said chapter 63 is hereby repealed and the following is substituted therefor:—

“7. The Company shall not commence the business of accident insurance and sickness insurance until at least two hundred thousand dollars of its capital stock have been *bona fide* subscribed and at least seventy-five thousand dollars thereof have been paid.

Plate glass insurance.

2. The Company shall not transact the business of plate glass insurance, in addition to accident insurance and sickness insurance, until its *bona fide* subscribed capital has been increased to at least two hundred and twenty-five thousand dollars and at least ninety thousand dollars thereof have been paid.

Burglary insurance.

3. The Company shall not transact the business of burglary insurance, in addition to accident insurance and sickness insurance, until its *bona fide* subscribed capital has been increased to at least two hundred and thirty thousand dollars and at least one hundred thousand dollars thereof have been paid.

Additional increases in certain cases.

4. The Company shall not transact the business of plate glass insurance and burglary insurance, in addition to accident insurance and sickness insurance, until its *bona fide* subscribed capital has been increased to at least two hundred and fifty thousand dollars and at least one hundred and fifteen thousand dollars thereof have been paid.

All classes.

5. The Company shall not transact all the classes of insurance authorized by this Act until three hundred and fifty thousand dollars of its capital stock has been *bona fide* subscribed and at least one hundred and seventy-five thousand dollars thereof have been paid.”

Commencement of business.

5. The Company may carry on any one or more of the above branches of insurance upon complying with the capital requirements respecting each, without waiting till the capital is subscribed and paid up to qualify the Company to do business in the remaining branches.



3-4 GEORGE V.

CHAP. 101.

An Act for the relief of Minnie Kate Clappison.

[Assented to 2nd April, 1913.]

WHEREAS Minnie Kate Clappison, presently residing Preamble.
at the city of Hamilton, in the province of Ontario, wife of Herbert John Clappison, of the said city of Hamilton, has by her petition alleged, in effect, that they were lawfully married on the eighteenth day of November, A.D. 1898, at the said city of Hamilton, she then being Minnie Kate Schultze, spinster; that the legal domicile of the said Herbert John Clappison was then and is now in Canada; that at the city of Buffalo, in the state of New York, one of the United States of America, since in or about the month of June, A.D., 1912, he has been living in adultery with a woman whose name is unknown and was so living there on or about the twentieth day of January, A.D., 1913; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Minnie Kate Schultze Marriage dissolved.
and Herbert John Clappison, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to
marry again.

2. The said Minnie Kate Schultze may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Herbert John Clappison had not been solemnized.

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3-4 GEORGE V.

CHAP 102.

An Act respecting the Collingwood Southern Railway Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1907, c. 77;
1909, c. 74;
1911, c. 66

1. The Collingwood Southern Railway Company, hereinafter called "the Company," may commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon within two years after the passing of this Act, and may complete its railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced, and such expenditure is not so made, or if the said railway is not so completed and put in operation within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for
construction
of railway
extended.

2. Chapter 66 of the statutes of 1911 is repealed.

1911, c. 66
repealed.

3. Paragraphs (b) and (c) of section 9 of chapter 77 of the statutes of 1907 are repealed.

1907, c. 77
amended.

4. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and

Trans-
mission and
delivery of
power and
electricity.

other power or energy, and transmit and deliver the same to any place in the district through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

R.S., c. 37.

Consent of municipalities for telegraph and telephone lines upon highways, etc.

5. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

R.S., c. 126.

Consent of municipalities for railway on highways, etc.

6. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

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3-4 GEORGE V.

CHAP. 103.

An Act respecting a patent of the Commercial Acetylene Company of New Jersey.

[Assented to 6th June, 1913.]

WHEREAS the Commercial Acetylene Company of New Jersey, a company duly incorporated under the laws of the state of New Jersey, one of the United States of America, and having its chief place of business at Number 80 Broadway, in the city of New York, in the state of New York, one of the United States of America, has by its petition represented that it is the holder of a patent, issued under the seal of the Patent Office of Canada, number sixty-seven thousand six hundred and seventy-nine, dated the eighth day of June, one thousand nine hundred, for certain new and useful improvements in the method of storing acetylene, and that the said patent has expired by reason of the non-payment of the fees required by *The Patent Act*, and whereas the said Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. Notwithstanding anything in *The Patent Act*, or in the patent mentioned in the preamble, the Commissioner of Patents may, within three months after the passing of this Act, receive from the holder of the said patent the payment of the partial fee required by the said Act for the further term of six years, and such payment shall avail to the same extent as if it had been made within the term for which the partial fee has been paid.

Extension of
time for
payment of
fees.
R. S., c. 69.

Saving of
rights
acquired.

2. If any person has, in the period between the expiry of twelve years from the date of the said patent, and the eighth day of March, nineteen hundred and thirteen, commenced to construct, manufacture, use or sell in Canada the invention covered by the said patent, such person may continue to construct, manufacture, use or sell the said invention in as full and ample a manner as if this Act had not been passed.

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3-4 GEORGE V.

CHAP. 104.

An Act for the relief of Edward MacKay Creighton.

[Assented to 2nd April, 1913.]

WHEREAS Edward MacKay Creighton, of the city of Preamble.
Toronto, in the province of Ontario, has by his
petition alleged, in effect, that on the sixth day of September,
A.D. 1893, at the city of Kingston, in the said province,
he was lawfully married to Sarah Ellen Laird; that she
was then of the said city of Kingston, a spinster; that his
legal domicile was then and is now in Canada; that in or
about the year 1902 she separated from him, and since
then has been living in adultery at the said city of Toronto
with one James Newell, and was so living there on the
twenty-sixth day of September, A.D. 1912; that he has
not connived at nor condoned the said adultery; that there
has been no collusion, directly or indirectly, between him
and her in the proceedings for divorce; and whereas by
his petition he has prayed for the passing of an Act dissolving
his said marriage, authorizing him to marry again, and
affording him such other relief as is deemed meet; and
whereas the said allegations have been proved, and it is
expedient that the prayer of his petition be granted:
Therefore His Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada, enacts
as follows:—

1. The said marriage between Edward MacKay Creigh-
ton and Sarah Ellen Laird, his wife, is hereby dissolved, Marriage dissolved.
and shall be henceforth null and void to all intents and
purposes whatsoever.

Right to
marry again.

2. The said Edward MacKay Creighton may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Sarah Ellen Laird had not been solemnized.

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3-4 GEORGE V.

CHAP 105.

An Act respecting a patent of Maurice Delvigne.

[Assented to 6th June, 1913.]

WHEREAS Maurice Delvigne, of Namur, Belgium, has by his petition represented that he is the owner of a patent granted by the Dominion of Canada, Number 125582, dated May 10th, 1910, and issued under the seal of the Patent Office, for new and useful improvements in explosives; and whereas doubts have arisen as to whether the said patent is now in force; and whereas he has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble

1. Notwithstanding anything in *The Patent Act*, or in the patent mentioned in the preamble, the failure to construct or manufacture in Canada the invention patented under the said patent shall not be deemed to have affected or to affect the validity of the said patent, but the time for such construction or manufacture shall be deemed to have been duly extended up to the end of one year from the passing of this Act, and such extension shall have the same effect as if applied for and granted within the time prescribed by *The Patent Act*.

Extension of time for construction or manufacture in Canada.

R. S., c. 69, s. 38 *et seq.*

2. If any person has, in the period between the expiry of two years from the date of the said patent, and the eighth day of February, nineteen hundred and thirteen, commenced to construct, manufacture, use or sell in Canada the invention covered by the said patent, such person

Certain rights saved.

may continue to construct, manufacture, use or sell the said invention in as full and ample a manner as if this Act had not been passed.

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3-4 GEORGE V.

CHAP. 106.

An Act for the relief of George Sentis Deslandes.

[Assented to 6th June, 1913.]

WHEREAS George Sentis Deslandes, of the town of Preamble.
Pincher Creek, in the province of Alberta, surveyor,
has by his petition alleged, in effect, that on the twenty-
third day of November, A.D. 1907, at the town of Nelson, in
the province of British Columbia, he was lawfully married
to Violet Emily Louise Tucker; that she was then of Proctor,
in the province of British Columbia, a spinster; that his
legal domicile was then and is now in Canada; that in
the month of October, A.D. 1910, she deserted him, and
since then has at the town of Creston, in the province of
British Columbia, lived as wife with husband with and
committed adultery with one Ernest F. M. Platt; that he
has not connived at nor condoned the said adultery; that
there has been no collusion directly or indirectly, between
him and her in the proceedings for divorce; and whereas
by his petition he has prayed for the passing of an Act dis-
solving his said marriage, authorizing him to marry again
and affording him such other relief as is deemed meet; and
whereas the said allegations have been proved, and it is
expedient that the prayer of his petition be granted: There-
fore His Majesty, by and with the advice and consent of
the Senate and House of Commons of Canada, enacts as
follows:—

1. The said marriage between George Sentis Deslandes and Violet Emily Louise Tucker, his wife, is hereby dis-
solved, and shall be henceforth null and void to all intents
and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said George Sentis Deslandes may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Violet Emily Louise Tucker had not been solemnized.

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3-4 GEORGE V.

CHAP. 107.

An Act respecting Dominion Trust Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1912, c. 89.

1. Chapter 89 of the statutes of 1912 is amended by adding thereto the following sections:—

Section added.

“18. The Company may, if so provided by by-law with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide by coupons or otherwise for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a ‘share warrant.’

Issue of share warrants.

“2. A share warrant shall entitle the bearer of such warrant to the shares specified in it and such shares may be transferred by the delivery of the share warrant.

Effect of share warrant.

“3. The bearer of a share warrant shall, subject to the by-laws of the Company, be entitled on surrendering such warrant for cancellation to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled.

Surrender and cancellation entitle to entry as shareholder.

Liability of Company for entry without cancellation.

“4. The bearer of a share warrant may, if the by-laws so provide, be deemed to be a shareholder of the Company

To what extent bearer deemed shareholder.

R.S., c. 79.
Proviso.

Particulars
to be entered
in register.

Date of
surrender to
be entered.

Directors
may deter-
mine condi-
tions of
issue.

Borrowing
powers.

within the meaning of *The Companies Act* either to the full extent or for such purposes as are prescribed by the by-laws: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

"5. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share or shares as if he had ceased to be a shareholder, and shall enter in the books the following particulars:—

"(a) the fact of the issue of the warrant;

"(b) a statement of the share or shares included in the warrant; distinguishing each share by its number;

"(c) the date of the issue of the warrant; and

until the warrant is surrendered the above particulars shall be deemed to be the particulars which are required by section 144 of *The Companies Act* to be entered in the books of the Company in respect of such share or shares, and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

"6. The by-laws may determine the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant or coupon will be issued in the place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the by-laws for the time being in force, whether made before or after the issue of such warrant.

"19. For the purposes of carrying out the objects of the Company as authorized by chapter 89 of the statutes of 1912, and for no other purpose, the directors of the Company may, if authorized by by-law, sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company, represented at a general meeting duly called for that purpose,—

"(a) borrow money upon the credit of the Company;

"(b) limit or increase the amount to be borrowed;

"(c) hypothecate, mortgage or pledge the real or

personal property of the Company, or both, to secure any money borrowed for the purposes of the Company."

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3-4 GEORGE V.

CHAP. 108.

An Act for the relief of Alfred Milton Durnan.

[Assented to 2nd April, 1913.]

WHEREAS Alfred Milton Durnan, of the city of Toronto, Preamble.
in the province of Ontario, has by his petition alleged in effect, that on the fifteenth day of October, A.D. 1901, at the city of Hamilton, in the said province, he was lawfully married to Ida Alberta Fenton; that she was then of the said city of Hamilton, a spinster; that his legal domicile was then and is now in Canada; that at divers times and places in A.D. 1905 and 1906, and more particularly at Rochester, in the state of New York, one of the United States of America, and on a steamer on Lake Ontario between Toronto and Rochester, she committed adultery with one John A. Caesar; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Alfred Milton Durnan and Ida Alberta Fenton, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said Alfred Milton Durnan may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Ida Alberta Fenton had not been solemnized.

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3-4 GEORGE V.

CHAP. 109.

An Act respecting Ebro Irrigation and Power Company, Limited.

[Assented to 2nd April, 1913.]

WHEREAS Ebro Irrigation and Power Company, Limited, Preamble.
has by its petition represented that it is incorporated R. S., c. 79.
under *The Companies Act*, being chapter 79 of the Revised Canada
Statutes, 1906, and has prayed that it be enacted as herein- Gazette,
after set forth, and it is expedient to grant the prayer of Sept. 16, 1911.
the said petition: Therefore His Majesty, by and with the
advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1. Subject to the laws in force in the Kingdom of Spain, Powers of
and with such legislative, governmental, municipal or Company
other authority, concession, license or consent as is necessary, in Kingdom
Ebro Irrigation and Power Company, Limited, hereinafter of Spain.
called "the Company," may, within the Kingdom of
Spain, survey, lay out, construct, complete, equip, maintain,
and operate and extend, remove and change as required, Railways.
double or single iron or steel railways and branches, side Tramways.
tracks, turnouts, and appurtenances, and tramways
for the passage of cars, carriages and other vehicles adapted
thereto, upon and along streets, highways, and other
public places, and upon and along lands purchased, leased
or otherwise acquired by the Company, also telegraph Telegraphs.
and telephone lines and works in connection therewith, Telephones.
and allow the use of the said railways and other works
by lease, license or otherwise for reward, and take, transmit,
and carry for reward telegrams, messages, passengers and
freight, including mails, express and other freight upon
or by means thereof, by steam, pneumatic, electric or Acquisition
other power, or by a combination of them or any of them, of properties
and also may there acquire by purchase, lease or otherwise, of other
companies.

upon such terms and conditions as are agreed upon, and operate for reward any existing or future lines of railway, tramway, telegraph and telephone, and for all or any of the purposes aforesaid the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Issue of
share
warrants.

2. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of
share
warrant.

3. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender
and
cancellation
entitle to
entry as
shareholder.

Liability of
Company for
entry without
cancellation.

Proviso.

4. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled: Provided, however, that such cancellation and entry of name as a shareholder shall be made within sixty days.

To what
extent bearer
is to be
deemed
shareholder.

Warrant will
not qualify
bearer as a
director.

5. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of *The Companies Act*, either to the full extent or for such purposes as is prescribed by the directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Particulars
to be entered
in register.

6. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share, or shares, as if he had ceased to be a shareholder, and shall enter in the register the following particulars:—

- (a) the fact of the issue of the warrant;
- (b) a statement of the share, or shares, included in the warrant;
- (c) the date of the issue of the warrant;

and until the warrant is surrendered the above particulars shall be deemed to be the particulars which are required by sections 89 and 90 of *The Companies Act*, to be entered in the books of the Company in respect of such share, or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

Date of
surrender to
be entered.

7. The directors may determine and vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant, or coupon, may be issued in the place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings, and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force, whether made before or after the issue of such warrant.

Directors
may vary
conditions
of issue.

8. Notwithstanding the provisions of section 76 of *The Companies Act* the Company may, by by-law in the manner provided in the said section, increase the number of its directors to not more than twenty.

Increase of
number of
directors.

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3-4 GEORGE V.

CHAP. 110.

An Act to incorporate the Grand Lodge of the Benevolent and Protective Order of Elks of the Dominion of Canada.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. Eric Norman Armour, barrister-at-law, William Perry Mackay, student-at-law, Hugh Atkinson Barwick, clerk, Hugh Elmer Munroe, clerk, Reginald Sherlock Anderson, clerk, all of the city of Toronto in the province of Ontario, and Charles Edward Redeker, of the city of Vancouver in the province of British Columbia, investment broker, together with such other persons as become members of the Society, are hereby incorporated under the name of "The Grand Lodge of the Benevolent and Protective Order of Elks of the Dominion of Canada," hereinafter called "the Society."

Incorporation.

Corporate name.

2. The persons named in section 1 of this Act shall be the provisional officers of the Society and shall hold office until their successors are elected.

Provisional officers.

3. The head office of the Society shall be in the city of Vancouver in the province of British Columbia.

Head office.

Governing
body.

4. The Society shall be governed by a representative body, to be known as "The Grand Lodge," whose members shall be elected in such manner and for such period of time as may be determined by by-law of the Society.

Officers.

2. The Grand Lodge shall elect from among themselves such officers as are designated by the by-laws of the Society.

Purposes.
Benevolent.

5. The purposes of the Society shall be as follows:—

(a) benevolent, provident, moral and charitable purposes;

Improve-
ment.

(b) purposes of social intercourse, mutual helpfulness, and mental and moral improvement and rational recreation;

but such purposes shall not include sickness, funeral, accident or disability benefits, or any other form of insurance.

Branches.

6. Subject to the constitution and by-laws of the Society, branches under the name of "Lodges," subordinate to the Society, may be established in Canada under the title or number designated in the charter granted by the Society when constituting such branches, and subject to such conditions and provisions and with such powers as the Society may determine by by-law: Provided, however, that such powers shall not be in excess of those conferred on the Society by this Act.

Powers of
branches.

Rules and
by-laws.

7. The Society may make such rules and by-laws as it deems necessary for government and management of its business and affairs and for the guidance of its officers and members, and especially with respect to the qualification, classification, admission and expulsion of members, the fees and dues which it may deem advisable to impose, the control and management of its funds, the number of members composing The Grand Lodge, and the number, constitution, powers and duties of an executive committee, board of trustees, or managing committee and of its officers, and generally for regulating every matter and thing proper and necessary to be done for the good of the Society and the prosecution of its objects and purposes.

Real estate.

8. Subject to provincial laws, the Society or any branch thereof may acquire by devise, bequest, purchase, gift or lease, such real property, not exceeding in the aggregate the value of one hundred thousand dollars, as is required for its actual use and occupation only, and may sell, lease or otherwise dispose thereof.

9. No member of the Society shall merely by reason of such membership be or become personally liable for any of its debts or obligations. Members not personally liable.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. III.

An Act respecting the Empire Life Insurance Company of Canada.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:—

Preamble.
1911, c. 75.

1. Notwithstanding anything in section 78 of *The Insurance Act, 1910*, or in the Act, chapter 75 of the statutes of 1911, incorporating the Empire Life Insurance Company of Canada, the said chapter shall be deemed not to have expired and ceased to be in force after the third day of April, 1913, but to have continued and to be in force, for all purposes thereof whatsoever, until the fourth day of April, 1914; and the Minister of Finance may, at any time not later than the third day of April, 1914, and subject to all other provisions of *The Insurance Act, 1910*, grant to that company the license necessary for carrying on business.

Extension of
time for
obtaining
license.
1910, c. 32,
s. 78.

2. If the company has not obtained the said license before the fourth day of April, 1914, the said chapter 75 shall then expire and cease to be in force thereafter, except for the sole purpose of winding up the company's business, but otherwise shall remain in full force and effect for all purposes thereof whatsoever.

Effect of
license.

3. Section 2 of the said chapter 75 is hereby repealed, and William Wilfred Wadleigh, of the city of Edmonton,

1911, c. 75,
s. 2, repealed.

New
provisional
directors.

in the province of Alberta, esquire, William Charles Bayly, of the city of Nelson, in the province of British Columbia, accountant, George Boyd Wickes, of the city of Toronto, in the province of Ontario, insurance broker, Thomas Crawford, of the city of Toronto, in the province of Ontario, esquire, Walter Herbert Sherriff, of the city of Toronto, in the province of Ontario, manufacturer's agent, and Robert Whitechurch Barton, of the city of Toronto, in the province of Ontario, actuary, shall be the provisional directors of the company instead of the persons constituted provisional directors by the said section 2.

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3-4 GEORGE V.

CHAP. 112.

An Act for the relief of Charles Albert Flower.

[Assented to 16th May, 1913.]

WHEREAS Charles Albert Flower, of the city of Win- Preamble.
nipeg, in the province of Manitoba, financial agent,
has by his petition alleged, in effect, that on the twenty-
second day of April, A.D. 1895, at the town of Birtle in
the said province, he was lawfully married to Violet Ruth
Beatrice Kealy; that she was then of the said town, a spin-
ster; that his legal domicile was then and is now in Canada;
that at the said city of Winnipeg, at divers times
in or about the month of May, A.D. 1912, and more par-
ticularly on or about the twenty-fourth day of May, A.D.
1912, she committed adultery with one Murray G. Doyle;
that he has not connived at nor condoned the said adultery;
that there has been no collusion, directly or indirectly,
between him and her in the proceedings for divorce; and
whereas by his petition he has prayed for the passing of an
Act dissolving his said marriage, authorizing him to marry
again, and affording him such other relief as is deemed meet;
and whereas the said allegations have been proved, and it is
expedient that the prayer of his petition be granted: There-
fore His Majesty, by and with the advice and consent of
the Senate and House of Commons of Canada, enacts as
follows:—

1. The said marriage between Charles Albert Flower Marriage
and Violet Ruth Beatrice Kealy, his wife, is hereby dis- dissolved.
solved, and shall be henceforth null and void to all intents
and purposes whatsoever.

2. The said Charles Albert Flower may at any time Right to
hereafter marry any woman he might lawfully marry if marry again.

the said marriage with the said Violet Ruth Beatrice Kealy had not been solemnized.

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3-4 GEORGE V.

CHAP. 113.

An Act to consolidate and amend the Acts relating to the Supreme Court of the Independent Order of Foresters, and to change its name to "The Independent Order of Foresters."

[Assented to 16th May, 1913.]

WHEREAS the Supreme Court of the Independent Order of Foresters has represented that it is a society incorporated by chapter 104 of the statutes of 1889, which Act was amended by chapter 51 of the statutes of 1896 (First Session) and was further amended by chapter 100 of the statutes of 1901; and whereas the said society has by its petition prayed that the said Acts be consolidated and amended to alter the corporate name and define the investment powers of the said society; to provide an investment board for the investment of the funds of the said society; to define the rights of the members of the said society in the accumulated funds of the said society; to empower the said society to provide for any deficiency in the accumulated funds and to create a fraternal fund and department for the relief of its members and dependents, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1889, c. 104;
1896 (1st
Sess.), c. 51;
1901, c. 100.

1. This Act may be cited as *The Independent Order of Foresters Consolidated Act*. Short title.

2. The Supreme Court of the Independent Order of Foresters is hereby continued as a body corporate and politic and subject to its existing constitution and laws, but the name of the said society is hereby changed to "The Independent Order of Foresters," hereinafter called "the Society."

Corporation continued.

Existing
constitution
and laws
filed.

3. The constitution and laws of the Society filed in the office of the Superintendent of Insurance, on the twenty-sixth day of January, one thousand nine hundred and nine, as amended by the amendments thereto filed in the office of the Superintendent of Insurance, on the thirtieth day of September, one thousand nine hundred and eleven, are hereby declared to be the existing constitution and laws of the Society, and, subject to the provisions of section 11 of this Act, to be binding upon the Society and every member thereof until repealed, altered or amended as provided in the said constitution and laws. Amendments to the said constitution and laws shall, within three months after the adoption thereof by the Society, be filed with the Superintendent of Insurance and shall thereupon be binding upon the Society and upon every member thereof: Provided that in the case of contradictory or repugnant provisions in the said constitution and laws, or in the case of any of the provisions thereof conflicting with any Act in force in Canada, the Treasury Board may, after due notice to the executive body of the Society, amend by order of the said Board the said constitution and laws, and from the date of such amendment, the constitution and laws so amended shall be binding upon the Society and every member thereof.

Amendments
to be filed.

Amendment
by
Treasury
Board.

Head office.

2. The head office of the Society shall be at the city of Toronto.

Real
property,
amount of.

4. The value of the real property which the Society or any branch thereof, may hold shall not exceed in the case of the Society, in the whole at any one time, the annual value of thirty thousand dollars, and in the case of any branch of the Society the capital value of twenty-five thousand dollars, except in the city of Toronto where each branch may hold real property to the capital value of ten thousand dollars, and no more; but in towns having less than six thousand inhabitants the capital value of such real property shall not in the case of any one branch exceed five thousand dollars, and the Society may, by provisions in its constitution and laws, determine the manner in which such real property shall be held and conveyed, subject always to the laws of the province, state or country in which the said real property is situate.

Liability of
branches.

5. The property of each branch shall be liable only for the debts and engagements of such branch.

Investment
powers.

6. The Society shall have the powers of lending and of investment prescribed by *The Insurance Act, 1910*, for companies within the legislative power of the Parliament

of Canada and licensed to carry on the business of life insurance in Canada.

7. The Society may constitute an investment board of not less than three or more than five members to have charge of the lending and investment of the funds of the Society, to hold office for such term and to exercise such powers and under such regulations, not inconsistent with this Act or with the provisions of *The Insurance Act, 1910*, applicable thereto, as the Society, or the executive council thereof, may from time to time determine.

Investment
board of
Society.

8. The Society may deposit outside of Canada such portion of its funds in such government securities as is necessary for the maintenance of any foreign branch; provided that at no time shall more than one-fourth of the accumulated funds of the Society be deposited outside of Canada.

Deposits
outside
of Canada.

9. The Society shall be entitled to receive a license under *The Insurance Act, 1910*, renewable from year to year, so long as the Society complies with the requirements of this Act and with the provisions of *The Insurance Act, 1910*, applicable thereto, to undertake with its members the contract or contracts of life, disability and sickness insurance specified in the constitution and laws of the Society for a sum or sums not exceeding, in addition to the sick and funeral benefits, the sum of five thousand dollars upon any one life.

License
under
Insurance
Act.

2. On or before the first day of March in each year the supreme chief ranger, or, in the absence of the supreme chief ranger, the past supreme chief ranger or the supreme vice chief ranger and the supreme secretary, or (in the absence of the supreme secretary), the chief accountant of the Society, shall transmit to the Superintendent of Insurance a statement verified by their own oath of the condition and affairs of the Society on the thirty-first of December then next preceding, which statement shall set forth the assets and liabilities of the Society and its income and expenditure during the previous year and such other information as is deemed necessary by the Minister of Finance or by the Superintendent of Insurance.

Annual
statements.

3. Any failure to make such statement shall subject the Society to a penalty of ten dollars for each day during which such default continues, and such penalty shall be recoverable and enforceable with costs at the suit of His Majesty instituted by the Attorney General of Canada.

Penalty
for failure
to make
statement.

4. The Superintendent of Insurance may examine, or

Examinations
by
Superin-

tendent of
Insurance.

cause to be examined, at its head office or elsewhere, the books, vouchers and securities of the Society, and its officers shall facilitate such examination so far as it is in their power; and he may address any inquiries to the said officers in relation to the assets, investments, liabilities, doings or condition of the Society, and it shall be the duty of the officers so addressed to promptly reply in writing to such inquiries.

Insurance
powers of
Society
subject to
Schedule
to Act.

10. The insurance powers of the Society shall be exercised in conformity with the provisions of this Act, including the provisions set out in the Schedule to this Act, which is hereby declared to be part of this Act, and in conformity with the provisions of *The Insurance Act, 1910*, applicable to the Society. Nothing herein shall be held to exempt the Society from the effect of any legislation hereafter passed by the Parliament of Canada in respect of any insurance powers exercised by fraternal societies.

Repeal.

Exceptions.

11. The Acts mentioned in the preamble, and the provisions of the existing constitution and laws inconsistent with the provisions of this Act, are hereby repealed, save and except the preamble and sections 3, 4 and 5 of chapter 100 of the statutes of 1901.

Commence-
ment of
Act.

12. Notwithstanding anything in the existing constitution and laws of the Society, the supreme court of the Society may meet in regular session within six months from the date of the passing of this Act, and if at such session a resolution to accept this Act is supported by two-thirds of the votes cast this Act shall come into force on the day on which such acceptance takes place, and notice and proof of such acceptance shall be filed with the Superintendent of Insurance.

SCHEDULE.

Definitions.

The
Foresters
experience.

In this Act, the following words and phrases shall mean as follows,—

1. "The Foresters experience" shall mean the tables deduced from the mortality and withdrawal experience of the Society for the years one thousand eight hundred and eighty-seven to one thousand nine hundred and seven inclusive and such tables shall be filed in the office of the Superintendent of Insurance.

Valuation
deficiency.

"Valuation deficiency" shall mean the excess of liabilities over assets including for the purpose of the computation among the liabilities the present value accord-

ing to the foresters experience, and four per cent annual interest, of the sums assured by the Society's outstanding mortuary benefit certificates or policies, and including among the assets the present value of the future premiums or assessments to be received by the Society in respect of the same certificates or policies, together with the present value of the liens, if any, upon such certificates or policies.

"Accumulated funds" shall mean all the assets of the Society applicable to the Society's outstanding mortuary benefit certificates or policies, but first deducting therefrom the assets transferred to the fraternal fund under the provisions of paragraph 6 of this Schedule. Accumulated funds.

"Surplus" shall mean the excess of the accumulated funds over and above all the liabilities of the Society in respect of all its outstanding mortuary benefit certificates or policies, including for the purpose of the computation among the liabilities, reserve for all such outstanding mortuary benefit certificates or policies on the basis of the foresters experience and four per cent annual interest. Surplus.

2. Subject to the provisions of the remaining paragraphs of this Schedule, the Society may and shall, from time to time require its members to pay such premiums or assessments as will provide, with the accumulated funds of the Society applicable to the mortuary benefit certificates or policies of such members, for the payment in full of all obligations matured or to mature under such mortuary benefit certificates or policies whether heretofore issued or hereafter to be issued, without deduction or abatement. Society to make adequate provision for its insurance contracts.

3. The Society shall determine the amount of the accumulated funds which have been accumulated from the payments of the members who entered the Society under the constitution and laws from time to time in force between the first day of January, 1899, and the first day of July, 1911. The amount so determined, together with the premiums or assessments to be received by the Society in respect of the same certificates or policies shall be deemed to be applicable only to the mortuary benefit certificates or policies of the members who entered the Society under the constitution and laws from time to time in force between the said dates. The Society shall also determine in like manner the amount of the accumulated funds which have been accumulated from the payments of the members who entered the Society under the constitution and laws in force on and after the said first day of July, 1911, and the amount so determined, together with the premiums or assessments to be received by the Society in respect of the same certificates or policies shall be deemed to be applicable only to the mortuary benefit certificates or policies. Apportionment of funds among contracts entitled.

policies of such members. The balance of the accumulated funds, together with the premiums or assessments to be received by the Society in respect of the remaining certificates or policies, shall be deemed to be applicable only to the mortuary benefit certificates or policies of the members who entered the Society under the constitution and laws from time to time in force prior to the said first day of January, 1899.

How
valuation
deficiency
may be
dealt with.

4. The Society shall ascertain, as at the first day of October, 1913, the valuation deficiency in respect of all the outstanding mortuary benefit certificates or policies of the members who entered the Society under the constitution and laws from time to time in force prior to the first day of January, 1899, and shall apportion such valuation deficiency among the said members in proportion to the amount of the member's mortuary benefit certificates or policies: Provided that the share of the valuation deficiency so apportioned to any member shall not exceed the reserve proper to such member's mortuary benefit certificate or policy according to the Foresters experience and four per cent annual interest.

If the supreme court of the Society, at the session to be held pursuant to the provisions of section 12 of this Act, by resolution so decides, the Society may charge against each such mortuary benefit certificate or policy as an assessment, a sum not exceeding its proportion of the valuation deficiency aforesaid. Such assessment shall thereupon be payable to the Society by the member on the said first day of October, 1913, or if not so paid, shall be a lien or debt against such member's mortuary benefit certificate or policy bearing interest until paid at the rate of four per cent per annum compounded annually and together with the interest shall be deducted by the Society out of the moneys or first moneys payable by the Society under the said mortuary benefit certificate or policy; provided that such interest may, at the option of the member, be payable in equal monthly instalments with the monthly premium or assessments of such member; or if the said supreme court, by resolution adopted at the said session, so decides, a table of rates shall be established for each age at entry and each year of entry to be payable by the said members respectively on and after the first day of October, 1913, so that the amount of the accumulated funds to the credit of all of the said members, determined as provided in paragraph 3 of this Schedule, added to the present value of the future net premiums or assessments payable by such members under the said new table of rates shall equal the present value of the benefits stipulated

to be paid in the mortuary benefit certificates or policies of such members on the basis of the Foresters experience and four per cent annual interest, and each such member shall on and after the said first day of October, 1913, pay to the Society the monthly rate of premium or assessment appropriate to his age at entry and year of entry according to the said new table of rates for the amount of such member's mortuary benefit certificate or policy.

In the event of the said supreme court failing to adopt, at the said session, either of the methods of meeting the valuation deficiency hereinbefore set forth, the Society shall ascertain and apportion to the mortuary benefit certificate or policy of each of the said members its share of the accumulated funds determined as provided in paragraph 3 of this Schedule, and shall charge annually against such credit and interest at the rate earned by the accumulated funds of the Society and the net mortuary assessments or premiums received from such member during the year, such member's share of the mortuary and disability claims accruing during such year, together with such additional annual sums as shall be necessary according to the Foresters experience and four per cent annual interest to provide the benefits other than the mortuary and disability benefits stipulated in such member's mortuary benefit certificate or policy, and when such credit is exhausted the Society shall collect and is hereby empowered to collect from the said member such additional or increased assessments during each year as shall be necessary to answer such member's share of the mortuary and disability claims accruing during such year together with the additional annual sum aforesaid.

On or before the said first day of October, 1913, the Society shall file in the office of the Superintendent of Insurance a certified copy of the proceedings of the session of the said supreme court and a schedule showing the said assessments for all of the said mortuary benefit certificates or policies according to the age at entry and year of entry into the Society, or the said new table of rates, as the case may be, or in the event of the said supreme court failing to adopt either of the said methods as aforesaid, a schedule showing for each age at entry and year of entry the amount to the credit of the mortuary benefit certificate or policy of each of the said members, and upon the said filing the said assessment or the new table of rates or the said credits, as the case may be, shall be binding upon each of the said members.

5. The Society shall, at the request of the member and upon the surrender of the mortuary benefit certificate or policy of such member, issue to such member a new

Member may
reduce his
certificate.

mortuary benefit certificate or policy for such an amount of the mortuary benefit specified in the existing constitution and laws so that the present value of the benefit promised by such new certificate or policy shall equal the present value of his future net premiums or assessments at the rate such member was paying on the passing hereof.

Fraternal
fund to
be created.

6. The executive council of the Society may transfer to a special fund of the Society, to be known as the fraternal fund, such securities and moneys as have heretofore accrued in connection with investments of the accumulated funds of the Society in excess of four per cent per annum, and so much of the interest to be received from time to time in excess of four per cent per annum as to the said executive council shall seem expedient. At the time of such transfer the executive council shall file in the office of the Superintendent of Insurance particulars of the securities and moneys proposed to be transferred to the fraternal fund. The fraternal fund or portions thereof shall be applied from time to time under regulations to be approved by the supreme court of the Society in relief of the increased payments or in reduction of the liens or debts, as the case may be, provided in paragraph 4 of this Schedule.

Application
of
fraternal
fund.

Surplus and
application
thereof.

7. The surplus of the Society, or any portion thereof, as the supreme court of the Society, in regular or special session may from time to time determine, may be transferred to the fraternal fund or may be used for any of the objects of the Society or may be distributed by way of bonus among the beneficiary members of the Society.

Limitation
of liabilities
of members.

8. The liabilities of any member of the Society shall be limited to the assessments, dues, fees, taxes and fines of which at the date which he ceases to be a member by withdrawal, expulsion, suspension or non-payment of assessments or dues or otherwise, notice has been actually given by the Society or which under its constitution and laws have matured and become due: Provided that no member or his beneficiary shall be entitled to any pecuniary benefit of the Society during the time such member is in default with respect to the payment of any assessment, dues, fees, taxes or fines; and the provisions of this paragraph shall be printed on each and every policy issued by the Society.

Proviso.

Rights of
members
under
constitution
and laws.

9. Notwithstanding anything in this Schedule contained when the event insured against in any certificate or policy happened prior to the first day of July, 1911, the rights of the member shall be as set forth in the constitution and laws of the Society filed in the office of the Superintendent of Insurance on the twenty-sixth day of January, 1909, and when the event insured against in any certificate

or policy has happened or shall happen between the said first day of July, 1911, and the first day of October, 1913, the rights of the member shall be as set forth in the existing constitution and laws of the Society defined in section 3 of this Act.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 114.

An Act for the relief of Ruby Christina Foy.

[Assented to 2nd April, 1913.]

WHEREAS Ruby Christina Foy, presently residing at Preamble.
the city of Toronto, in the province of Ontario, wife of
James Cuvillier Foy, of the said city of Toronto, has by
her petition alleged, in effect, that they were lawfully
married on the fourth day of October, A.D. 1902, at the
city of Niagara Falls, in the state of New York, one of the
United States of America, she then being Ruby Christina
Croil, spinster; that the legal domicile of the said James
Cuvillier Foy was then and is now in Canada; that at the
said city of Toronto in the year 1907 he committed adultery
at divers times with women whose names are unknown;
that at Pembroke, in the province of Ontario, and Peta-
wawa, in the province of Ontario, during the month of
August, A.D. 1912, he committed adultery with one Rose
Maxted; that she has not connived at nor condoned the
said adultery; that there has been no collusion, directly or
indirectly, between him and her in the proceedings for
divorce; and whereas by her petition she has prayed for the
passing of an Act dissolving her said marriage, authorizing
her to marry again, and affording her such other relief as
is deemed meet; and whereas the said allegations have
been proved, and it is expedient that the prayer of her
petition be granted: Therefore His Majesty, by and with
the advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1. The said marriage between Ruby Christina Croil and James Cuvillier Foy, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said Ruby Christina Croil may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said James Cuvillier Foy had not been solemnized.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 115.

An Act for the relief of William Froste.

[Assented to 2nd April, 1913.]

WHEREAS William Froste, of the city of Calgary, in the province of Alberta, has by his petition alleged, in effect, Preamble. that on the thirtieth day of June, A.D. 1896, at Lacombe, then in the district of Calgary, in the North West Territories, now in the province of Alberta, he was lawfully married to Sylva Alberta Bagley; that she was then of Lacombe aforesaid, a spinster; that his legal domicile was then and is now in Canada; that in or about the year 1902 or the year 1903 at Banff, in the province of Alberta, she committed adultery with one William Andrew Brewster, then of Banff aforesaid; that subsequently, at divers places and times in the province of Alberta, and at the city of Reno, in the state of Nevada, one of the United States of America, and at the village of Belton, in the state of Montana, one of the United States of America, she lived as wife with husband with the said William Andrew Brewster, and was so living with the said William Andrew Brewster and committing adultery with him at the said village of Belton on the fifth day of August, A.D. 1912; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage
dissolved.

1. The said marriage between William Froste and Sylva Alberta Bagley, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to
marry again.

2. The said William Froste may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Sylva Alberta Bagley had not been solemnized.

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3-4 GEORGE V.

CHAP. 116.

An Act to incorporate the General Accountants Association.

[Assented to 6th June, 1913.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. John Leslie, Harry R. Mallison, Fred C. Larivière, Chas. A. Bourne, Alex. N. DeTilly, Jas. N. Doyle, Fred J. Walker, Jas. T. Smith, Edward A. Stewart, Jas. R. Murray, Jos. Jones and John Dick, all of the city of Montreal, accountants, together with such persons as may be admitted to membership of the corporation, are incorporated under the name of the "General Accountants Association," hereinafter called "the Association." Incorporation.
Corporate name.

2. The purposes of the Association shall be to fix Objects and powers.
standards of skill and competency for its members and thereby promote efficiency in accountants, and for the said purposes the Association may throughout Canada,—
(a) hold such examinations as are found expedient; and
(b) grant certificates of efficiency to persons who have passed such examinations.

3. The membership of the Association shall consist of Qualification for membership.
accountants who have passed the prescribed examinations, and of such persons as the directors may admit as non-certificated members until such time as they have passed the
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prescribed examinations, and of whose qualifications and fitness the directors approve.

Powers to hold and dispose of property.

4. The Association may receive, accept, purchase and hold any personal property, lands, buildings and hereditaments, for the purpose of the Association, and may sell, mortgage, lease or dispose thereof, but so that the Association shall apply all its profits, if any, or other income, in promoting its objects, and shall not at any time pay any dividends to its members. The provisions of this section shall not prevent the remuneration of members of the board of directors or officers of the Association for services rendered out of any surplus remaining after the ordinary expenses of the Association have been met.

Remuneration of members of board and officers.

Head office.

5. The head office of the Association shall be in the city of Montreal.

Board of directors.

6. The affairs and business of the Association shall be managed by a board of directors consisting of not less than six and not more than twenty-one members, to be constituted in such manner as may be provided by by-law; and the persons named in section 1 of this Act shall be the officers and directors of the Association until others, under the provisions of this Act, are elected to fill their places.

Provisional directors.

First general meeting.

7. The first general meeting of the Association shall be held during the year one thousand nine hundred and thirteen at such time and place and upon such notice as the directors may decide. Subsequent general meetings shall be held as the by-laws of the Association may provide, but at least once in each calendar year. At any general or special meeting members may be represented and vote by proxy, but no such proxy shall be exercised by a person who is not a member of the Association.

Subsequent meetings.

Proxies.

By-laws.

8. The objects and powers of the Association shall be carried out and exercised under by-laws and resolutions passed by the directors, but every such by-law, unless in the meantime confirmed at a general meeting of the Association called for the purpose of considering it, shall have force only until the next annual meeting, and in default of confirmation thereat shall cease to have force: Provided always that any by-law passed by the directors may be repealed, amended, varied or otherwise dealt with by the Association, at any annual general meeting or at a special general meeting called for the purpose.

Confirmation necessary.

9. The Association in general or special meeting assembled may make by-laws for carrying out its objects and exercising the powers by this Act conferred upon it. By-laws, how made.

10. The Association may affiliate with any association or corporation having the same or similar objects. Affiliation with other associations.

11. If any person ceases, for any cause whatever, to be a member of the Association he shall not, nor shall his representatives, have any interest in or claim against the funds and property of the Association, because or by reason of his membership in the Association. Effect of ceasing to be member.

12. Nothing in this Act shall be construed to interfere with or impair legislation upon the subject of accountancy now or hereafter enacted by legislative authority of any province of Canada, or as giving to members of the Association the right to use any name, title, initial or description as accountants in contravention thereof. Provincial legislation not affected.

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3-4 GEORGE V.

CHAP. 117.

An Act to incorporate the General Loan Company of Canada.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. Joseph Edward Caldwell, Robert Hamilton Fulton, Incorporation.
Henry Y. Smith, Wilbert Emerson Burke and Alfred
William Maybery, all of the city of Moose Jaw, together
with such persons as become shareholders in the company,
are hereby incorporated under the name of "The General
Loan Company of Canada," hereinafter called "the Com- Corporate name.
pany."

2. The persons named in section 1 of this Act shall be Provisional directors.
the first or provisional directors of the Company, a majority
of whom shall be a quorum for the transaction of business,
and they may forthwith open stock books, procure sub-
scriptions of stock for the undertaking, make calls on stock
subscribed and receive payments thereon, and shall deposit Powers.
in a chartered bank in Canada all moneys received by them
on account of stock subscribed, or otherwise received by
them on account of the Company, and may withdraw the
same only for the purposes of the Company, and may fix
the number of directors to be elected at the first general
meeting of the Company, which number may be changed
for subsequent elections by by-law, and may do generally
what is necessary to organize the Company.

Capital
stock.

3. The capital stock of the Company shall be ten million dollars divided into shares of one hundred dollars each.

Election of
directors.

2. So soon as not less than five hundred thousand dollars of the capital stock have been subscribed, and not less than fifty thousand dollars of that amount have been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Moose Jaw, at which meeting shall be elected a board of not less than ten nor more than thirty directors of the Company, a majority of whom shall be a quorum, and the said directors shall hold office until their successors are elected and upon the election of such board the functions of the provisional directors shall cease.

Qualifica-
tion.

3. No person shall be a director unless he holds in his own name and for his own use at least fifty shares of the capital stock of the Company, and has paid all calls due thereon, and all liabilities incurred by him to the Company.

Head office.

4. The head office of the Company shall be at the city of Moose Jaw, in the province of Saskatchewan, or at such other place in Canada as the directors determine by by-law, confirmed at a special general meeting of the Company duly called for the purpose; but the directors may establish branch offices and agencies elsewhere.

Other offices.

Change of
head office.

2. Notice of any such change of the head office shall be published in at least one issue of *The Canada Gazette*.

Meetings,
calling of.

5. A general meeting of the Company shall be called at its head office once in each year, after the organization of the Company and commencement of business, and at such meeting a statement of the affairs of the Company shall be submitted; and special, general or extraordinary meetings may at any time be called by any five of the directors or by a requisition of any twenty-five shareholders, specifying in the notice thereof the object of the meeting.

Notice.

2. Notice of each meeting of the Company shall be given by printed or written notice to each of the shareholders mailed by registered post at least fourteen days before the day for which such meeting is called and addressed to the addresses of the shareholders respectively as given in the books of the Company.

Calls on
stock.

6. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed ten per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice shall be given of any call; and any notice of call may be

effectually given by sending the notice by registered letter, post paid to the address of the shareholder as given in the books of the Company.

7. The Company shall not borrow or lend money or otherwise carry on business until it has obtained from the Minister of Finance a certificate permitting it to do so; and no application for such certificate shall be made, and no such certificate shall be given until the board of directors has been elected as required by this Act, nor until it has been shown to the satisfaction of the Minister of Finance that at least five hundred thousand dollars of the capital stock of the Company have been *bona fide* subscribed and at least one hundred thousand dollars thereof have been paid in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act. No such certificate shall be given unless application therefor is made within two years after the passing of this Act, or within such extended period as the Governor in Council, before the expiration of such two years, allows: Provided that should such certificate not be duly made within the time limited, or should such certificate be refused, this Act shall thereupon cease to be in force except for the purpose of winding up the affairs of the Company and returning to the subscribers the amounts paid upon the subscribed stock, or so much thereof as they are entitled to.

Conditions of commencing business.
Certificate.
Subscription of stock.
Cash deposit.
Time for application for certificate.
Proviso: for case of certificate not being obtained.

8. The Company may lend money on the security of, or purchase or invest in,— Business.

(a) mortgages or hypothecs upon freehold or leasehold real estate, or other immovables; Mortgages on real estate.

(b) the debentures, bonds, fully paid up stocks and other securities of any government or any municipal corporation or school corporation, or of any chartered bank in Canada (to the extent of not more than twenty per cent of the paid up capital stock of any such bank); provided that the Company shall not lend upon the security of, or purchase or invest in bills of exchange or promissory notes; Stocks and securities.

(c) Freehold real estate, subject to an agreement for sale, upon which not more than sixty per cent of the purchase price remains to be paid under the said agreement for sale. Proviso
Freehold real estate.

2. The Company may take personal security as collateral for any advance made, or to be made, or contracted to be made by or for any debt due to the Company. Personal security.

3. The Company shall not invest in, nor lend money upon the security of the stock of any other loan company. Stock of loan companies.

9. The Company may act as an agency association for the interest and on behalf of others who entrust it with money. Agency association.

money for that purpose, and may, either in the name of the Company, or of such others, lend and advance money to any person or municipal or other authority, or any board or body of trustees or commissioners, upon such securities as are mentioned in section 8 of this Act; and may purchase and acquire any securities on which it is authorized to advance money and resell the same.

Enforcement
of agree-
ments.

2. The conditions and terms of such loans and advances and of such purchases and resales may be enforced by the Company for its benefit, and for the benefit of the person for whom such money has been lent or advanced, or such purchase and resale made; and the Company shall have the same powers in respect of such loans, advances, purchases and sales as are conferred upon it in respect of loans, advances, purchases and sales made from its own capital.

Guarantee of
repayment.

3. The Company may also guarantee the repayment of the principal or the payment of the interest or both, of any money entrusted to the Company for investment.

Employment
of capital.

4. The Company may, for every or any of the foregoing purposes, lay out and employ the capital and property, for the time being, of the Company or any part of the moneys authorized to be raised by the Company in addition to its capital for the time being, or any money so entrusted to it as aforesaid; and may do, assent to and exercise all acts whatsoever which, in the opinion of the directors, are requisite or expedient to be done in regard thereto.

Moneys
guaranteed
to be deemed
borrowed.

5. All moneys as to which the repayment of the principal or payment of interest is guaranteed by the Company, shall, for the purposes of this Act, be deemed to be money borrowed by the Company.

Liquidation
of companies.

10. The Company may liquidate and carry on for the purposes of such liquidation, the business of any other Company, carrying on any business which the Company is authorized to carry on, upon such terms as may be agreed on.

Moneys on
deposit.

11. The Company may borrow money and receive money on deposit upon such terms as to interest, security, time of repayment and otherwise as may be agreed upon, and may issue its bonds, debentures and other securities for moneys borrowed: Provided that the total of the Company's liabilities to the public outstanding from time to time shall not exceed four times the amount paid upon its then actually paid up and unimpaired capital stock: Provided also, that the amount held on deposit shall not at any time exceed the aggregate amount of its then actually paid up and unimpaired capital, and of its cash actually in hand or

Limitation of
liability to
the public.

Limitation
of amount
held on de-
posit.

deposited in any chartered bank in Canada belonging to the Company.

12. The directors may, with the consent of the shareholders at the first general meeting, or thereafter at any special general meeting duly called for the purpose, create and issue debenture stock in sterling or currency, in such manner and amounts, on such terms as to the redemption or payment thereof, and otherwise, and bearing such rate of interest, as the directors from time to time think proper, but such debenture stock shall be treated and considered as part of the ordinary debenture debt of the Company and shall be included in estimating the Company's liabilities to the public under section 11 of this Act, and such debenture stock shall rank equally with the ordinary debenture and deposit debt of the Company, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by depositors or holders of ordinary debentures of the Company. Such stock shall be transferable in such amounts and in such manner as the directors determine.

Debenture stock.
To be included in estimates of liabilities to public.
Rank.
Transfer.

13. The debenture stock aforesaid shall be entered by the Company in a register to be kept for that purpose in the head office of the Company in Canada, wherein shall be set forth the names and addresses of those from time to time entitled thereto with the respective amounts of the said stock to which they are respectively entitled; and the register shall be accessible for inspection and perusal at all reasonable times to every mortgagee, debenture holder, bond holder, debenture-stock holder, and shareholder of the Company or depositor without the payment of any fee or charge.

Register of debenture stock.
Contents.

14. All transfers of debenture stock of the Company shall be registered at the head office of the Company and not elsewhere, but the said transfers may be left with such agent or agents in the United Kingdom or elsewhere as the Company appoints for that purpose, for transmission to the Company's head office for registration.

Transfers of debenture stock.

15. The holders of the ordinary debentures of the Company may, with the consent of the directors at any time exchange such debentures for debenture stock.

Exchange of debentures.

16. The Company, having issued debenture stock, may from time to time, as it thinks fit and in the interest of the Company, but only with the consent of the holders thereof,

Cancellation of debenture stock.

thereof, buy up and cancel the debenture stock or any portion thereof.

Preference stock by-laws invalid till sanctioned.

17. No by-law to create and issue preference stock shall have any force or effect until it has been sanctioned, either unanimously by the shareholders in writing or by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering it, such vote being that of shareholders present at the meeting or represented thereat by proxy holding not less than two-thirds of the subscribed capital stock of the Company.

Reserve fund.

18. The directors may set aside out of the profits of the Company such sums as they think proper as a reserve fund to meet contingencies, or for equalizing dividends, or for repairing, improving or maintaining any of the property of the Company, and for such other purposes as the directors may in their discretion think conducive to the interests of the Company, and may invest the several sums so set aside upon such investments (other than shares of the Company) as they may think fit, and may from time to time deal with and vary such investments and dispose of all or any part thereof for the benefit of the Company, and may divide the reserve fund into such special funds as they think fit, with full power to employ in the business of the Company the assets constituting the reserve fund, and that without being bound to keep the same separate from the other assets: Provided that always the investment of the reserve fund shall be subject to the limitations in section 8 of this Act.

Proviso.

Power to acquire business, etc., of other companies.

19. The Company may purchase, acquire and undertake, the whole or any part of the business, assets, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situated, belonging to any other company within the legislative power of the Parliament of Canada, and the liabilities and the name and goodwill of such other company, provided such other company carries on any business which the Company is authorized to carry on; and may pay therefor in cash or in stock either fully paid up or partly paid up, or partly in cash and partly in stock, either fully paid up or partly paid up, or in any other manner; and the Company may enter into agreements for such purchase and sale and do all other acts necessary or convenient for the purposes of such purchase and sale: Provided always that specified assets may be excepted from any such purchase and sale: Provided further that no such agreement shall become operative and effective until

Payment.

Proviso.
Approval of Treasury Board.

it has been submitted to and approved by the Treasury Board.

2. The liabilities of any company which are assumed by the Company shall form part of the total liabilities of the Company to the public for the purposes of section 11 of this Act.

Liability to the public.

20. In case any company whose assets are acquired by the Company has issued debenture stock, and such debenture stock is outstanding at the date of such acquisition, the directors of the Company may, if and when they think fit, and either with or without the sanction of the shareholders issue debenture stock to the extent of the nominal value of the debenture stock of such other company outstanding as aforesaid, and may with the consent of any holder of debenture stock in such other company give to him in lieu of the debenture stock held by him, debenture stock of the Company on such terms as may be agreed upon.

Issue of debenture stock in lieu of debenture stock of other companies.

21. At each annual meeting, the holders of the capital stock, present or represented by proxy shall choose not less than ten nor more than thirty persons to be directors of the Company, a majority of whom shall be a quorum.

Directors.

Election.

Quorum.

22. The Company shall not be bound to see to the execution of any trust, whether express, implied or constructive, to which any share of its stock or debenture stock or any deposit or any other money payable by or in the hands of the Company may be subject, and the receipt of the party in whose name such share, debenture, debenture stock or deposit money, stands in the books of the Company, shall from time to time be sufficient discharge to the Company for any payment made in respect of such share, debenture, debenture stock, deposit or money, notwithstanding any trust to which it may then be subject, and whether or not the Company has had notice of such trust, and the Company shall not be bound to see to the application of the money paid upon such receipt.

Company not bound to see to execution of trusts.

23. If the interest of any person in any share in the capital stock, or debenture stock, or in any bond, debenture, or obligation of the Company, which bond, debenture or obligation is not payable to bearer, or in any deposit or any other money payable by or in the hands of the Company, is transmitted in consequence of the death, or bankruptcy or insolvency of such holder, or by any lawful means other than a transfer upon the books of the Company, the directors shall not be bound to allow any transfer pursuant to

Transmission of interest in shares otherwise than by transfers.

such transmission to be entered upon the books of the Company, or to recognize such transmission in any manner, until a declaration in writing showing the nature of such transmission, and signed and executed by the person claiming by virtue of such transmission, and also executed by the former shareholder, if living, and having power to execute the same, has been filed with the manager or secretary of the Company and approved by the directors; and if the declaration purporting to be signed and executed, also purports to be made or acknowledged in the presence of a notary public, or of a judge of a court of record, or of a mayor of any city, town or borough, or other place, or of a British Consul, or vice-consul, or other accredited representative of the British Government in any foreign country, the directors may, in the absence of direct actual notice of a contrary claim, give full credit to the declaration and, unless the directors are not satisfied with the responsibility of the transferee, shall allow the name of the party claiming by virtue of the transmission to be entered in the books of the Company.

Require-
ments in case
of transmis-
sion by will
or intestacy.

24. If the transmission takes place by virtue of any testamentary act or instrument or in consequence of any intestacy, the probate of the will or letters of administration or document testamentary, or other judicial or official instrument under which the title, whether beneficial or as trustee, or the administration or control of the personal estate of the deceased is claimed to vest, purports to be granted by any court or authority in Canada, or in Great Britain or Ireland, or in any other of His Majesty's dominions, or in any foreign country, or an authenticated copy thereof or official extract therefrom, shall, together with the declaration mentioned in section 23 of this Act, be produced and deposited with the manager, secretary, treasurer, or other officer named by the directors for the purpose of receiving the same; and such production and deposit shall be sufficient justification and authority to the directors for paying the amount or value of any dividend, coupon, bond, debenture, or obligation or share, or any deposit or any other moneys payable by or in the hands of the Company, or for transferring or consenting to the transfer of any bond, debenture, obligation or share, or any deposit, or any other moneys payable by or in the hands of the Company, in pursuance of, and in conformity to such probate, letters of administration or such other documents aforesaid.

Directors
may apply
to court in
case of
doubt.

25. Whenever the directors entertain reasonable doubts as to the legality of any claim to or upon any shares, bonds, debentures, obligations, dividends or coupons, or the pro-
ceeds

ceeds thereof, or any deposit or any other moneys payable by or in the hands of the Company, then and in such case the directors may file in any court of competent jurisdiction in the province where the head office of the Company is situated, a petition stating such doubts and praying for an order or judgment adjudicating and awarding the said shares, bonds, debentures, obligations, dividends, coupons or proceeds thereof, or any deposit or any other moneys payable by or in the hands of the Company, to the parties legally entitled thereto; and such court shall have authority to restrain any action, suit or proceedings against the Company, the directors and officers thereof, for the same subject matter, pending the determination of the petition; and the Company and the directors and officers shall be fully protected and indemnified by obedience to such order or judgment against all actions, suits, claims and demands in respect of the matters in question in such petition and the proceedings thereupon: Provided always, that if the court adjudges that such doubts were reasonable, the costs, charges and expenses of the Company in and about such petition and proceedings shall form a lien upon such shares, bonds, debentures, obligations, dividends, coupons or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company, and shall be paid to the Company before the directors shall be obliged to transfer or assent to the transfer of or pay such shares, bonds, debentures, obligations, dividends, coupons, or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company to the parties found to be entitled thereto.

Proviso.

Costs if doubts reasonable.

26. No parcel of land or interest therein at any time acquired by the Company and not required for its actual use and occupation, or not held by way of security, shall be held by the Company or by any trustee on its behalf for a longer period than ten years after the acquisition thereof; but such land or interest therein shall be absolutely sold and disposed of so that the Company shall no longer retain any interest therein unless by way of security; and any such parcel of land or any interest therein not within the exceptions hereinbefore mentioned which has been held by the Company for a longer period than ten years without being disposed of shall be forfeited to the Crown: Provided that the Governor in Council may extend the said period from time to time not exceeding in the whole twelve years: Provided further that no such forfeiture shall take effect or be in force until the expiration of at least six months after notice in writing to the Company of the intention of

Term for which land may be held.

Forfeiture.

Extension of term.

Notice of enforcing forfeiture.

Statement
of lands
subject to

the Crown to claim such forfeiture; and the Company shall, when required, give to the Minister of Finance a full and correct statement of all lands at the date of such statement held by the Company or in trust for the Company and subject to these provisions.

Annual
statement
to Minister
of Finance

27. The Company shall, on or before the first day of March in each year, transmit to the Minister of Finance a statement in duplicate to and including the thirty-first day of December, of the previous year, verified by the oaths of the president or vice-president, and the manager or secretary setting out the capital stock of the Company and the proportion thereof paid up, the assets and liabilities of the Company, the amount and nature of the investments made by the Company both on its own behalf and on behalf of others, and the average rate of interest derived therefrom, distinguishing the classes of securities, and also the extent and value of the lands held by it, and giving such other details as to the nature and extent of the business of the Company as the Minister of Finance requires, and in such forms and with such details as he from time to time requires and prescribes: but the Company shall be in no case bound to disclose the names or private affairs of any person who has dealings with it.

Penalty for
non-com-
pliance.

2. If the Company for the space of one month neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default, shall incur the like penalty.

R.S., c. 79.

28. Sections 125, 126, 135, 141, 161, 165 and 167 of *The Companies Act* shall not apply to the Company.

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to the King's most Excellent Majesty. 3



3-4 GEORGE V.

CHAP 118.

An Act to incorporate the Glengarry and Stormont Railway Company.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. C. L. Hervey, civil engineer, and A. A. Mellor, civil engineer, both of the city of Montreal, in the province of Quebec, and Robert H. Pringle, agent, James Farrand Pringle, civil engineer, and Thomas A. Burgess, barrister-at-law, all of the city of Ottawa, in the province of Ontario, together with such other persons as become shareholders in the company, are hereby incorporated under the name of "The Glengarry and Stormont Railway Company," hereinafter called "the Company."

Incorporation.
Corporate name.

2. The persons named in section 1 of this Act are hereby constituted provisional directors of the Company.

Provisional directors.

3. The capital stock of the Company shall be five hundred thousand dollars. No one call thereon shall exceed ten per cent on the shares subscribed.

Capital stock.
Calls.

4. The head office of the Company shall be at the city of Montreal, in the province of Quebec.

Head office.

5. The annual meeting of the shareholders shall be held on the second Wednesday in September.

Annual meeting.

Directors. **6.** The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

Line of railway authorized. **7.** The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one half inches, from a point on the Canadian Pacific Railway at or near the station known as St. Polycarp Junction, in the county of Soulanges in the province of Quebec, thence southwesterly to the township of Lancaster, in the county of Glengarry in the province of Ontario, thence continuing in a southwesterly direction through the township of Lancaster to the township of Charlottenburg, in the said county of Glengarry, thence through the township of Charlottenburg to a point at or near the village of Williamstown, thence to the township of Cornwall, thence through the township of Cornwall to the town of Cornwall, in the county of Stormont.

Consent of municipalities. **8.** The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over the said highway, street or other public place, and upon terms to be agreed upon with such municipality.

Vessels. **9.** The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property.

Hotels, etc. **10.** The Company may, for the purposes of its undertaking, construct, acquire, or lease buildings for hotels and restaurants along its railway, and may carry on such business in connection therewith as tends to the comfort and convenience of the travelling public; and may lay out, manage and lease parks and summer pleasure resorts, with the approval, expressed by by-law, of the municipality having jurisdiction over the place in which such parks and summer pleasure resorts are situated, upon terms to be agreed upon with such municipality.

Parks, etc. **11.** For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the
Transmission and delivery
208 Company

Company may acquire, but not by expropriation, electric or other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built; and may receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

of power and
electricity.

R.S., c. 37.

12. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or lease its own lines to, any such companies.

Telegraphs
and
telephones.

R.S., c. 37.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

Tolls and
charges.

3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with *The Railway Act* or with this Act, shall apply to the telegraphic business of the Company.

R.S., c. 126.

13. Nothing in this Act, or in *The Telegraphs Act*, shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Consent of
municipal-
ities as to
telegraph
and telephone
lines, etc.,
upon
highways,
etc.

R.S., c. 126.

14. The securities issued by the Company shall not exceed thirty thousand dollars per mile of the railway, and

Issue of
securities.

and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Agreements
with other
Companies.

15. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, the said companies being the Ottawa and New York Railway Company, the Canadian Pacific Railway Company, the Grand Trunk Railway Company, the Canadian Northern Railway Company, the Canadian Northern Ontario Railway Company and the Canadian Northern Quebec Railway Company.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 119.

An Act for the relief of Fanny Maria Gogarty.

[Assented to 2nd April, 1913.]

WHEREAS Fanny Maria Gogarty, presently residing Preamble.
at the city of Toronto, in the province of Ontario, wife of Maurice Gordon Gogarty, of the town of Athabaska Landing, in the province of Alberta, veterinary surgeon, has by her petition alleged, in effect, that they were lawfully married on the twenty-second day of January, A.D. 1910, at the said city of Toronto, she then being Fanny Maria George, spinster; that the legal domicile of the said Maurice Gordon Gogarty was then and is now in Canada; that at the city of Toronto, in the province of Ontario, at divers times between the month of October, A.D. 1910, and the month of July, A.D. 1912, he committed adultery with various women, and more particularly with one Evelyn McGaw and one Isabel Cambridge; that at the city of Buffalo, in the state of New York, one of the United States of America, on or about the thirty-first day of July, A.D. 1912, he committed adultery with a woman whose name is unknown; that on or about the fifth day of August, A.D. 1912, he deserted her; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage
dissolved.

1. The said marriage between Fanny Maria George and Maurice Gordon Gogarty, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to
marry again.

2. The said Fanny Maria George may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Maurice Gordon Gogarty had not been solemnized.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 120.

An Act respecting a patent of the Gold Medal Furniture Manufacturing Company, Limited.

[Assented to 7th March, 1913.]

WHEREAS the Gold Medal Furniture Manufacturing Company, Limited, a body corporate, having its chief place of business at the city of Toronto, in the province of Ontario, has by its petition represented that it is the holder of a patent, number eighty-one thousand and twenty-nine, dated the twenty-sixth day of May, one thousand nine hundred and three, issued under the seal of the Patent Office, for new and useful improvements in woven wire mattresses and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1905, c. 97.

1. Notwithstanding anything in *The Patent Act*, or in the patent mentioned in the preamble, the Commissioner of Patents may receive from the holder of the said patent an application for a certificate of the payment of the further fees and the usual fees for the second and third terms for the said patent and may grant and issue to such holder certificates of payment of further fees, provided for by *The Patent Act*, and extensions of the term of duration of the said patent in as full and ample a manner as if the application therefor had been duly made within the first six years from the date of the issue of the said patent.

Extension of time for payment of fees.
R. S., c. 69.
Extension of duration of patent.

2. If any person other than any licensee, has, in the period between the expiry of six years from the date of the

Saving of rights acquired.

said patent and the seventh day of September, one thousand nine hundred and twelve, commenced to manufacture, use or sell in Canada, the invention covered by the said patent, such person may continue to manufacture, use or sell such invention in as full and ample a manner as if this Act had not been passed: Provided that the exemption shall not extend to any person who has commenced the construction or manufacture of the said invention before the expiry of the said patent, without the consent of the holder of the said patent.

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3-4 GEORGE V.

CHAP. 121.

An Act for the relief of Alexander Zepherin Gonier.

[Assented to 16th May, 1913.]

WHEREAS Alexander Zepherin Gonier, presently residing at the city of Ottawa, in the province of Ontario, *chef*, has by his petition alleged, in effect, that on the eighth day of June, A.D. 1910, at North Bay, in the said province, he was lawfully married to Ethel Lorettha Dudley; that she was then of North Bay aforesaid, a spinster; that his legal domicile was then and is now in Canada; that at the village of Colborne, in the county of Northumberland, in the province of Ontario, on or about the twenty-fourth day of January, A.D. 1912, she committed adultery with one Edward Ackley; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. The said marriage between Alexander Zepherin Gonier and Ethel Lorettha Dudley, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Marriage dissolved.

2. The said Alexander Zepherin Gonier, may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Ethel Lorettha Dudley had not been solemnized.

Right to marry again.



3-4 GEORGE V.

CHAP. 122

An Act respecting the Grand Trunk Pacific Branch Lines Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:-

Preamble.
1906, c. 99;
1909, c. 86;
1910, c. 103;
1911, c. 83.

1. The Grand Trunk Pacific Branch Lines Company may, within two years after the passing of this Act, commence the construction of the lines of railway which it has heretofore been authorized to construct, and may complete the said lines of railway and put them in operation within five years after the passing of this Act; and if the said lines of railway are not so commenced, or are not so completed and put in operation within the said periods, respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said lines of railway as then remains uncompleted.

Time for construction of railways extended.

2. Section 3 of chapter 83 of the statutes of 1911 is repealed.

1911, c. 83,
s. 3
repealed.

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the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 123.

An Act respecting the Grand Trunk Pacific Railway Company.

[Assented to 7th March, 1913.]

WHEREAS the Grand Trunk Pacific Railway Company Preamble.
has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Grand Trunk Pacific Act, 1913.* Short title.

2. The directors of the Grand Trunk Pacific Railway Company, hereinafter called the "Company," being first empowered in that behalf by the shareholders, as required by section 136 of *The Railway Act*, may from time to time make and issue perpetual or terminable debenture stock payable in Canadian currency or in sterling money of Great Britain for a principal amount not exceeding in the whole twenty-five million dollars, or the equivalent thereof in pounds sterling, and may apply the proceeds thereof towards the completion of the Company's railway, the providing of equipment, and to the general purposes of the Company in Canada. Power to issue perpetual or terminable debenture stock. R.S., c. 37, s. 136.

3. Previous to each issue of any such debenture stock, the Company shall pass a by-law providing therefor and for the convenient transfer and registration of the debenture stock to be issued thereunder, and for all other matters incidental to each such issue and its management; each such by-law shall form the basis of the issue of the debenture stock. By-law prior to issue of stock. Terms of by-law.

stock therein referred to and be effectual for the purpose of such issue, and shall also prescribe the amount of such debenture stock to be issued thereunder, the rate of interest payable thereon, which, if deemed expedient, may be different for each issue, the dates and places of payment of such interest and of the principal of such debenture stock, if terminable, and shall also declare and define the rights, privileges and remedies of the holders of such debenture stock (who shall not as between themselves be entitled to any preference or priority) and the liability, rights, privileges and remedies of the Grand Trunk Railway Company of Canada as guarantor thereof under any guarantee duly authorized.

By-law not
to be
altered.

2. Otherwise than as therein provided, no such by-law shall be altered in any matter affecting the interests of the holders of the debenture stock issued thereunder.

Deposit of
by-law.

3. A certified copy of each by-law, authenticated by the seal of the Company, shall be deposited in the office of the Secretary of State of Canada.

Ranking of
debenture
stock.

4. The debenture stock from time to time issued under the authority of this Act shall be consolidated with the debenture stock issued, or to be issued, under the authority of chapter 100 of the statutes of 1906, and shall constitute a lien or charge, ranking *pari passu* in all respects with the debenture stock issued, or to be issued under the said Act, upon the railway, undertaking, equipment, property, rights and franchises of the Company described in the respective deeds of trust by way of mortgage set forth in Schedules A, B and C, to chapter 98 of the statutes of 1905.

1906, c. 100.

1905, c. 98.

Obligations
and agree-
ments not
affected.

5. The exercise by the Company of the powers conferred by this Act shall not have the effect of or be construed as releasing the Grand Trunk Railway Company of Canada from any obligation or agreement entered into in pursuance of the provisions of chapter 19 of the statutes of 1909, or arising under the mortgage contemplated by the said Act and bearing date the twenty-second day of May, one thousand nine hundred and nine.

1909, c. 19.

Commence-
ment of Act.

6. This Act shall only take effect upon being assented to and accepted by a majority in value of the holders of the debenture stock issued under the authority of said chapter 100 of the statutes of 1906, present in person or represented by proxy at a meeting of such holders duly called, and upon being also assented to and accepted by a majority of the votes of the persons present, or represented

1906, c. 100.

Special
meeting for
purpose.

by proxy, and entitled to vote at a general meeting of the Grand Trunk Railway Company of Canada, held after notice of the intention to submit the same to such meeting has been duly given.

2. Such meeting of the holders of the debenture stock, issued under the authority of chapter 100 of the statutes of 1906, shall be held to have been duly called if notice thereof, and of the purpose of such meeting, has been mailed at least thirty days prior to the date thereof to the respective purchasers from the Company of such debenture stock addressed to their last known address appearing on the books of the Company, and if such notice has been published in *The Times* newspaper published in London, England, at least once in each of the four weeks immediately preceding the date of such meeting. Notice and publication.

3. The certificates in writing of the respective chairmen of such meetings shall be sufficient evidence of the acceptance by such meeting of the provisions of this Act. Such certificates shall be filed in the office of the Secretary of State of Canada, and notice thereof shall be published by the Company in *The Canada Gazette*. Certificate of chairman.

4. Copies of such certificates, certified by the Secretary of State of Canada, shall be taken and accepted in all courts of law as sufficient evidence of the acceptance of this Act pursuant to the provisions hereof. Evidence.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 124.

An Act respecting the Grand Trunk Railway Company of Canada.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Grand Trunk Act, 1913.* Short title.

2. The expression “the Company”, where used in this “Company”
defined.
Act, means the Grand Trunk Railway Company of Canada.

3. In addition to the consolidated debenture stock Authority
to issue
additional
perpetual
consolidated
debenture
stock.
authorized by any Act heretofore passed, the Company
may, for the purposes herein specified, borrow, and raise
by the creation and issue of perpetual consolidated debenture
stock, to be called Grand Trunk Consolidated Debenture
Stock, bearing interest at a rate not exceeding four per Interest.
cent per annum, such sum as the proprietors of the Company
entitled to vote, in general meeting assembled, shall from
time to time determine: Provided always, that the aggregate
amount of the annual interest upon the debenture stock Limitation
of amount.
to be issued under this Act shall not exceed two hundred
thousand pounds sterling.

4. The debenture stock by this Act authorized shall Ranking
and
conditions.
rank equally and be consolidated with the debenture stock
issued or to be issued as Grand Trunk Consolidated Debenture
Stock under any Act now in force, and shall be subject
to all conditions and provisions applicable thereto respecting
the manner, time and place of payment of interest
thereon, and the voting power of the holders thereof.

Application
of proceeds.

1910, c. 104;
1911, c. 81,
and 1912, c.
96 to apply.

5. So much of the proceeds of the said stock, as the directors of the Company may from time to time determine may be used or applied in the exercise of and for the purpose of carrying out any of the powers conferred upon the Company by *The Grand Trunk Act, 1910*, or by *The Grand Trunk Act, 1911*, or by *The Grand Trunk Act, 1912*, and to the general purposes of the Company.

1888, c. 58,
s. 6 to
apply.

6. Any shares, bonds, debentures or other securities acquired with the proceeds of the debenture stock created and issued under the authority of this Act, shall be held as subsisting and continuing as a security for the purposes of and upon the terms mentioned in section 6 of the *The Grand Trunk Railway Act, 1888*.

Commence-
ment of
Act.

7. This Act shall only take effect upon being assented to and accepted by a majority of the votes of the persons present, or represented by proxy, and entitled to vote at a general meeting of the Company held after notice of the intention to submit the same to such meeting has been duly given.

Certificate
of chairman.

2. The certificate in writing of the chairman of such meeting that this Act has been assented to and accepted shall be filed in the office of the Secretary of State of Canada, and notice of such filing shall be published by the Company in *The Canada Gazette*.

Evidence.

3. A copy of such certificate, certified by the Secretary of State of Canada, shall be taken and accepted in all courts of law as sufficient evidence of such assent and acceptance.

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3-4 GEORGE V.

CHAP. 125.

An Act respecting the Great West Permanent Loan Company.

[Assented to 6th June, 1913.]

WHEREAS the Great West Permanent Loan Company Preamble.
has by its petition prayed that it be enacted as 1909, c. 89.
hereinafter set forth, and it is expedient to grant the prayer
of the said petition: Therefore His Majesty, by and with
the advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1. Paragraph (b) of section nine of chapter eighty-nine 1909, c. 89, s.
of the statutes of 1909 is hereby amended by inserting 9, amended.
after the words “such bank” in the fourth line of the said Securities for
paragraph, the words: “or of any incorporated company, if investments.
incorporated in Canada, or any province of Canada, or any
former province now forming part of Canada.”

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 126.

An Act to consolidate and amend the Acts relating to the Guarantee Company of North America.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1851, c. 36;
1873, c. 22;
1880, c. 71;
1881, c. 57.

1. The Acts enumerated in the Schedule to this Act are hereby repealed and the provisions of this Act are substituted therefor.

Repeal.

2. In this Act the expression "the Company" means the body politic and corporate incorporated by chapter 36 of the statutes of 1851, under the name of "The Canada Guarantee Company," which name was changed to "The Guarantee Company of North America" by chapter 57 of the statutes of 1881.

"The Company"
defined.

3. The corporate existence of the Company is hereby continued uninterruptedly under the name of "The Guarantee Company of North America," and shall in future be governed by the provisions hereof, which shall be deemed to be a continuance of its charter, amended and consolidated.

Corporate
existence
continued.

4. The Company shall continue to hold all the rights and assets and shall be subject to all the undertakings and liabilities heretofore held, enjoyed or possessed or which

Rights and
liabilities.

have heretofore attached to the Company; and no suit either in law or in equity now pending either on behalf of or against the Company shall be abated by reason of anything herein contained, but the same may be continued to final judgment, unaffected hereby.

Head office. **5.** The head office of the Company shall be at the city of Montreal.

Powers. **6.** The Company may make contracts guaranteeing the fidelity of persons in positions of trust, public or private and guaranteeing or becoming security for the due and faithful performance of any contract or agreement or of the duties of any office or employment; and may execute and become responsible under bonds and undertakings in legal actions and proceedings, or which are by law permitted or required, and may make such other contracts of guarantee, indemnity or suretyship as the directors deem expedient, and may transact all such business within Canada and elsewhere.

Reinsurance. **7.** The Company may reinsure any other company, which has executed any bond or undertaking which the Company would be authorized to execute under this Act, against loss thereunder in whole or in part, and may cause itself to be reinsured against loss, in whole or in part, under any bond or undertaking executed by it.

Executing bonds. **8.** All bonds, policies, guarantees and contracts shall be executed, on behalf of the Company, by such officer or officers, person or persons, as shall be authorized by by-law or by resolution of the directors, or by power of attorney executed by one or more officers of the Company pursuant to its by-laws or a resolution of its directors.

Real and personal property. **9.** The Company may purchase or otherwise acquire, lease, construct, manage, hold, mortgage, dispose of and otherwise deal with such real property as it may be authorized to hold under section 67 of *The Insurance Act, 1910*.

Capital stock. **10.** The capital stock of the Company shall be one million dollars, divided into twenty thousand shares of the par value of fifty dollars each. The Company may, as heretofore, continue to transact business with its subscribed capital paid up in part only, provided that the amount paid in thereon in cash shall not be less than three hundred thousand dollars.

11. The directors may, by resolution, with the consent of shareholders holding a majority of the entire stock of the Company, either present in person or represented by proxy, at a special general meeting or special general meetings to be expressly convened for that purpose, increase the capital of the Company by the issue of new shares of the par value of fifty dollars each, either at one time or at different times, to an amount not exceeding in all five million dollars. Increase of capital.

2. All future issues of shares shall first be offered to the then existing shareholders ratably according to the amount of their shares, respectively, and in other respects shall be disposed of at such price and on such terms and conditions as the directors may determine. The first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten per cent. Not less than thirty days notice of any call shall be given. How increase to be disposed of.

12. The shareholders of the Company shall not be liable for nor charged with the payment of any debt of or demand by the Company, beyond the amount remaining unpaid upon the shares subscribed for or held by them respectively in the capital stock of the Company. Shareholders' liability on new shares.

13. If any shareholder makes default in the payment of any instalments on his shares, he shall *ipso facto* be and become further liable for the payment to the Company of interest at the rate of five per cent per annum on the amount of the unpaid instalment from the date on which the same should have been paid; and the Company may recover the amount of every unpaid instalment, with interest as aforesaid and the costs of suit, in any court of competent jurisdiction. Default in payment of instalments.

2. The directors may also, by resolution to that effect reciting the facts as duly recorded in their minutes, summarily declare forfeited any shares whereon such payment is not made. Such shares shall thereupon become the property of the Company and shall be disposed of as the directors by by-law prescribe. Forfeiture.

14. In any action by the Company against a shareholder for the recovery of an unpaid instalment on his shares, with interest, it shall be sufficient for the Company to declare that the defendant is a holder of one or more shares of the capital stock, and is indebted to them in the amount of the unpaid instalment and interest; and in every such action it shall not be competent to the defendant to plead the general issue, but he may, by a plea in denial, traverse any particular matter or matters of fact alleged Action for recovery of unpaid instalments.

in the declaration, or specially plead some particular matter or matters of fact in confession and avoidance, and the certificate of the secretary or managing director of the Company, and a number of *The Canada Gazette* containing the notice calling in the instalment sued for, shall be *prima facie* evidence of the defendant being the holder of the number of shares specified in the certificate, and of the instalment thereon demanded having been duly called in; and no other shareholder shall be deemed an incompetent witness in such actions either for or against the Company, any law or usage to the contrary notwithstanding.

Stock to be
personal
estate.

Proviso.

15. The stock of the Company shall be personal estate and shall be transferable in such manner only and subject to such conditions and restrictions as are prescribed by this Act and by the by-laws of the Company: Provided, however, that no shares shall be transferable until all the instalments thereon called in shall have been paid up, and the party desirous of transferring shall have discharged all his other liabilities to the Company.

Payment of
dividends
and bonus.

16. No dividend or bonus shall be paid which will impair the paid-up capital of the Company; nor shall the combined dividends and bonuses declared within any twelve consecutive months exceed twelve per cent on the paid-up capital of the Company unless the shareholders holding a majority of the capital stock of the Company consent thereto, either in writing or by resolution duly passed at a general meeting of the Company.

Company
not bound
for execution
of trust.

Shareholder's
receipt a
discharge.

Liability
limited.

Annual
meeting.

17. The Company shall not be bound to see to the execution of any trust, whether express, implied or constructive, in respect of any share.

2. The receipt of the shareholder in whose name any share stands in the books of the Company, shall be a valid and binding discharge to the Company for any dividend or money payable in respect of such share, and whether or not notice of such trust has been given to the Company.

3. The Company shall not be bound to see to the application of the money paid upon such receipt.

18. A general meeting of the Company shall be held at its head office once in each year, and at such meeting a statement of the affairs of the Company shall be submitted. Special general or extraordinary meetings may be called either by any three of the directors or by shareholders holding in the aggregate not less than one-fourth part of the capital stock of the Company. The requisition for

such special general meeting shall be in writing and shall specify the special purposes for which the meeting is called. Upon receipt of any such requisition it shall be the duty of the directors to call such meeting.

2. Thirty days' previous notice shall be given of the time and place when and where such special general meeting shall be held. If the directors refuse or for one week shall neglect to comply with the requisition to call a special general meeting, the directors or shareholders making the requisition may themselves call such meeting, giving a like previous notice and specifying in the notice the special purposes for which the meeting is called. Notice of meeting.

19. At all general meetings of the Company each shareholder shall be entitled to one vote for every share held by him for not less than fourteen days prior to the time of voting, upon which share all calls then due have been paid; such vote may be given either in person or by proxy, the holder of such proxy being himself a shareholder and entitled to vote at such meeting; and all questions proposed for the consideration of the shareholders shall be determined by the majority of votes, the chairman presiding at such meeting having the casting vote in case of an equality of votes. Voting.
Proxies.

20. The affairs of the Company shall be administered by a board of not less than nine nor more than fifteen directors who shall be elected by ballot of the shareholders yearly at the annual general meeting. The shareholders shall determine at such meeting the number of directors to be elected for the ensuing year and no shareholder shall vote for more than the number of directors to be elected. No person may be a director unless he holds in his own name not less than twenty shares of the capital stock of the Company. Retiring directors, if otherwise qualified, shall be eligible for re-election. Directors.
Qualification.
Re-election.

2. A majority of the directors shall be British subjects and resident in Canada. British subjects.

3. Three directors shall be a quorum for the transaction of business. Quorum.

4. All meetings of the board of directors shall be held at the head office of the Company. Place of meeting.

21. Whenever a vacancy on the board of directors shall occur in the interval between two elections of the board, the remaining directors may fill the vacancy from among the qualified shareholders; and every shareholder so elected shall be and serve as a director until the annual general meeting next following the date of his election. Vacancy on board.

Failure to
fill vacancy
does not
invalidate
acts.

22. The failure of the remaining directors to fill a vacancy occurring on the board between two elections of the board shall not in any manner invalidate nor affect the acts of the remaining directors, who shall then constitute the board, provided always that there remain in office a quorum of the board.

By-laws.

23. The directors may make by-laws, not contrary to law or to this Act, or to *The Insurance Act, 1910*, for—

- (a) the regulating of the allotment of stock, the making of calls thereon, the payment thereof, the issue and registration of certificates of stock, the forfeiture of stock for non-payment, the disposal of forfeited stock, and of the proceeds thereof, and the transfer of stock;
- (b) the declaration and payment of dividends;
- (c) the appointment, functions, duties and removal of all officers, agents and servants of the Company, the security to be given by them to the Company (if any) and their remuneration;
- (d) the appointment, functions, duties and removal of an executive committee and committees of the board of directors;
- (e) the time and place for the holding of the annual meeting of the Company, the calling of meetings of the directors and of the Company, the requirements as to proxies, and the procedure in all things at such meetings;
- (f) the imposition and recovery of all penalties and forfeitures admitting of regulation by by-law;
- (g) the borrowing of money for the purposes of carrying on the business of the Company upon the credit of the Company or on the security of any of its assets;
- (h) the execution of bonds, policies, guarantees, contracts, powers of attorney and other instruments for and on behalf of the Company; and
- (i) the conduct, in all other particulars, of the affairs of the Company.

Repeal of
by-laws.

2. The directors may repeal, amend, or re-enact any such by-laws: Provided that every such by-law, repeal, amendment, or re-enactment unless in the meantime confirmed at a general meeting of the Company duly called for that purpose shall only have force until the next annual meeting of the Company and in default of confirmation thereat shall, from the time of such default, cease to have force or effect.

Notice of
proposed
alterations.

3. No by-law shall be enacted, repealed, re-enacted or amended by the directors unless written notice setting forth

the proposed by-law, repeal, re-enactment or amendment shall have been mailed to each director at least five days before the meeting.

24. The directors may establish branches and agencies of the Company, for the transaction of business, in such places within Canada and elsewhere as they deem advantageous, with such agents, managers, secretaries, local boards and other means of management as they think fit. Branches or agencies.

25. The directors may invest or loan the Company's funds and may deposit outside of Canada a portion of its funds and securities as authorized by subsection 2 of section 63 of *The Insurance Act, 1910*. Investing funds.

26. The directors may in all other things administer the affairs of the Company and may make or cause to be made for the Company any description of contract which the Company may lawfully enter into. General powers of directors.

27. Any description of action may be prosecuted and maintained between the Company and any shareholder thereof. Actions at law.

28. In all actions by or against the Company, copies of the proceedings of the shareholders or of the directors of the Company, extracted from their minute books, books or proceedings and certified by their secretary or managing director, shall be *prima facie* evidence of the contents of such copies in all courts of civil jurisdiction in Canada. Evidence in courts.

SCHEDULE.

ACTS REPEALED.

1851	Chapter 36	An Act to incorporate the Canada Guarantee Company.
1873	Chapter 22	An Act to amend the Act fourteenth and fifteenth Victoria, chapter thirty-six, incorporating "The Canada Guarantee Company."
1880	Chapter 71	An Act further to amend the Act therein cited, incorporating the Canada Guarantee Company.
1881	Chapter 57	An Act to amend the Act incorporating the Canada Guarantee Company and to change the name of the said Company to "The Guarantee Company of North America."

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 127.

An Act respecting the Guelph and Goderich Railway Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Guelph and Goderich Railway Company may commence the construction of the branch line of railway from a point in the township of Woolwich, Peel, or Wellesley to the towns of St. Mary's and Clinton *via* Stratford, authorized by section 7 of chapter 81 of the statutes of 1904, within two years after the passing of this Act, and may complete the said branch and put it in operation within five years after the passing of this Act; and if within the said periods respectively the said branch is not so commenced or is not so completed and put in operation the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said branch as then remains uncompleted.

Preamble.
1904, c. 81;
1909, c. 90;
1911, c. 87.
Time for construction of railway extended.

2. The said Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

Consent of municipality.

3. Chapter 87 of the statutes of 1911 is repealed.

1911, c. 87 repealed.



3-4 GEORGE V.

CHAP. 128.

An Act for the relief of Harold Moss Hampson.

[Assented to 16th May, 1913.]

WHEREAS Harold Moss Hampson, of the city of Montreal, Preamble.
in the province of Quebec, foreman painter, has by his petition alleged, in effect, that on the twenty-third day of December, A.D. 1902, in the parish of Dukinfield, in the county of Chester, in England, he was lawfully married to Annie River Burdett Howcroft; that she was then of the parish of Dukinfield aforesaid, a spinster; that his legal domicile was then in England and is now in Canada; that at the city of Montreal aforesaid, from about the fourteenth day of July A.D. 1912, until the twenty-third day of September A.D. 1912, she lived as wife with husband with one Frank Edward Ballon and committed adultery with the said Ballon; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Harold Moss Hampson and Annie River Burdett Howcroft, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said Harold Moss Hampson may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Annie River Burdett Howcroft had not been solemnized.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 129.

An Act for the relief of Jesse Wilbert Hearn.

[Assented to 2nd April, 1913.]

WHEREAS Jesse Wilbert Hearn, of the town of Trenton, Preamble.
in the province of Ontario, railway employee, has by his petition alleged, in effect, that on the twenty-fifth day of May, A.D. 1904, at the city of Saginaw, in the state of Michigan, one of the United States of America, he was lawfully married to Helen Creller; that she was then of the said city of Saginaw, a spinster; that his legal domicile was then and is now in Canada; that on or about the twenty-eighth day of December, A.D. 1906, she deserted him; that on the twenty-fourth day of May, A.D. 1909, by fraud she procured the Circuit Court in Chancery for the city of Saginaw, in the state of Michigan, one of the United States of America, without notice to the said Jesse Wilbert Hearn, to issue a judgment purporting to grant her a divorce from him, the said alleged judgment being illegal, invalid, and not operating a dissolution of the said marriage between them; that at the said city of Saginaw, on the ninth day of June, A.D. 1909, she went through a pretended form of marriage with one Merle Green, and has since that date continued to live and cohabit with the said Merle Green as his wife, thereby committing adultery; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage
dissolved.

1. The said marriage between Jesse Wilbert Hearn and Helen Creller, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to
marry again.

2. The said Jesse Wilbert Hearn may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Helen Creller had not been solemnized.

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3-4 GEORGE V.

CHAP. 130.

An Act respecting the Hudson Bay Insurance Company.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1910, c. 110.

1. Subsection 2 of section 12 of chapter 110 of the statutes of 1910, intituled *An Act respecting the Hudson Bay Insurance Company*, is hereby amended by adding thereto the following paragraphs:—

Power to transact Guarantee insurance, etc.

- “(f) the business of guarantee insurance;
- “(g) the business of accident insurance;
- “(h) the business of bond insurance;
- “(i) the business of sickness insurance;
- “(j) the business of sprinkler leakage insurance;
- “(k) the business of steam boiler insurance:

Provided that, as a condition precedent to the issue of a license to the Company for the transaction of any branch or branches of insurance in addition to fire insurance and hail insurance, the paid up capital stock of the Company shall be increased to such sum as the Treasury Board shall fix and determine.”

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3-4 GEORGE V.

CHAP. 131.

An Act respecting the Hudson Bay, Peace River and Pacific Railway Company.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedi- 1911, c. 93.
ent to grant the prayer of the said petition: Therefore
His Majesty, by and with the advice and consent of the
Senate and House of Commons of Canada, enacts as
follows:—

1. The construction of the railway of the Hudson Bay, Peace River and Pacific Railway Company may be commenced, and fifteen per cent of the amount of its capital stock expended thereon, within two years after the passing of this Act, and the railway may be completed and put in operation within five years after the passing of this Act; and if, within the said periods respectively, the railway is not commenced and such expenditure is not so made, or the railway is not completed and put in operation, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted. Extension of time for construction.

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3-4 GEORGE V.

CHAP. 132.

An Act for the relief of Walter Wargrave Hughes.

[Assented to 2nd April, 1913.]

WHEREAS Walter Wargrave Hughes, of the city of Preamble.
Winnipeg, in the province of Manitoba, accountant,
has by his petition alleged, in effect, that on the eleventh
day of March, A.D. 1911, at the said city of Winnipeg, he
was lawfully married to Marguerite May Butler; that she
was then of Crystal Falls, in the state of Michigan, one of
the United States of America, a spinster; that his legal
domicile was then and is now in Canada; that on or about
the twenty-fifth of June, A.D. 1911, she deserted him; that
at divers places and times, and more particularly on or
about the fifteenth day of August, A.D. 1912, at the town
of Frank, in the province of Alberta, she committed adultery
with one John C. Dohm; that he has not connived at nor
condoned the said adultery; that there has been no collusion,
directly or indirectly, between him and her in the proceed-
ings for divorce; and whereas by his petition he has prayed
for the passing of an Act dissolving his said marriage, author-
izing him to marry again, and affording him such other
relief as is deemed meet; and whereas the said allegations
have been proved, and it is expedient that the prayer of
his petition be granted: Therefore His Majesty, by and with
the advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1. The said marriage between Walter Wargrave Hughes and Marguerite May Butler, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said Walter Wargrave Hughes may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Marguerite May Butler had not been solemnized.

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3-4 GEORGE V.

CHAP. 133.

An Act respecting the Hull Electric Company.

[Assented to 7th March, 1913.]

WHEREAS the Hull Electric Company, hereinafter called "the Company," has by its petition represented that it was incorporated by chapter 69 of the statutes of 1895 (First Session) of Quebec, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
Que. 1895,
(1st Sess.),
c. 69;
Can. 1897,
c. 39;
1899, c. 59.

1. The railway of the Company is declared to be a work for the general advantage of Canada.

2. The Company may enter into an agreement with any other railway company for the running of its cars over the tracks of such other company, from its railway in Hull to and across the interprovincial bridge and into the city of Ottawa, at a point at or near Sappers Bridge, upon such terms and conditions as may be agreed upon between such companies respectively.

Agreements
with other
companies.

3. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into an agreement with the Canadian Pacific Railway Company, or with the Ottawa Northern and Western Railway Company, and may lease its railway to the said Canadian Pacific Railway Company, or to the said Ottawa Northern and Western Railway Company, but the approval of the shareholders of the said Canadian Pacific Railway Com-

Agreements
with C.P.R.
and O. N.
and W. Ry.
Co.

pany to such agreement and lease shall be sufficient if the provisions of section 6 of chapter 47 of the statutes of 1890 are complied with.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 134.

An Act respecting the Huron and Erie Loan and Savings Company.

[Assented to 7th March, 1913.]

WHEREAS the Huron and Erie Loan and Savings Com- Preamble
pany has by its petition prayed that it be enacted as
hereinafter set forth, and it is expedient to grant the prayer
of the said petition: Therefore His Majesty, by and with
the advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1896, (1st
Sess.), c. 49;
1899, c. 115;
1905, c. 105;
1906, c. 110.

1. Subsection 1 of section 2 of chapter 49 of the statutes
of 1896 (First Session), as the said section is enacted by
section 1 of chapter 105 of the statutes of 1905, is amended
by striking out the words "four and three-fourths" in the
fifth line of the said subsection 1 and substituting therefor
the word "five."

1905, c. 105,
amended.

Limitation
of
liabilities.

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3-4 GEORGE V.

CHAP. 135.

An Act respecting the Huron and Ontario Railway Company, and to change its name to "The Toronto and Northwestern Railway Company."

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1896 (1st Sess.), c. 20;
1903, c. 130;
1904, c. 85;
1906, c. 111;
1907, c. 94;
1909, c. 92;
1911, c. 94.

1. The name of the Huron and Ontario Railway Company, hereinafter called "the Company," is changed to "The Toronto and Northwestern Railway Company," but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any wise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Name changed.

Saving of rights.

2. Section 5 of chapter 130 of the statutes of 1903 is amended by adding thereto the following words:—"the Canadian Northern Railway Company and the Canadian Northern Ontario Railway Company, or any of them."

1903, c. 130, s. 5 amended.
Agreements with other companies.

3. The Company may commence the construction of its railways, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said railways and put them in operation within five years after the passing of this Act; and if the said railways are not so commenced and such expenditure is not so made, or if the said railways are

Time for construction of railways extended.

not so completed and put in operation within the said periods, respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects such portions of said railways as then remain uncompleted.

1911, c. 94
repealed.

4. Chapter 94 of the statutes of 1911 is repealed.

1896 (1st
Sess.), c. 20
amended.

5. Sections 6 and 14 of chapter 20 of the statutes of 1896 (First Session) are hereby repealed.

Consent of
municipali-
ties.

6. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

Transmission
and delivery
of power and
electricity.

7. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Consent of
municipali-
ties required
for telegraph
and telephone
lines upon
highways,
etc.

8. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

R.S., c. 126.



3-4 GEORGE V.

CHAP. 136.

An Act respecting the Imperial Traction Company.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1911, c. 96.

1. The Imperial Traction Company, hereinafter called “the Company,” may lay out, construct and operate the following lines of railway:—

Lines of
railway
authorized.

(a) An extension of its already authorized line from a point at or near Smithville, in the county of Lincoln, to Bridgeburg, in the county of Welland;

(b) An extension of its already authorized line from Hamilton, in the county of Wentworth, passing near the town of Milton in the county of Halton, to a point in the township of York at or near the westerly boundary of the city of Toronto, in the county of York.

2. The securities issued by the Company on the extensions authorized by section 1 of this Act shall not exceed thirty thousand dollars per mile of the said extensions, and may be issued only in proportion to the length of railway constructed or under contract to be constructed, and shall not exceed fifty thousand dollars per mile of that portion of the railway that is double tracked.

Issue of
securities.

3. The Company may, within two years after the passing of this Act, commence the construction of its railway and of the extensions authorized by section 1 of this Act, and expend fifteen per cent of the amount of its capital

Time for
construction
of railway
extended.

stock thereon, and may, within five years after the passing of this Act, complete the said railway and extensions and put them in operation; and if, within the said periods respectively, the said railway and extensions are not so commenced or such expenditure is not so made, or the said railway and extensions are not completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway and extensions as then remains uncompleted.

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3-4 GEORGE V.

CHAP. 137.

An Act respecting Imperial Underwriters' Corporation,
and to change its name to "Imperial Underwriters
Corporation of Canada."

[Assented to 16th May, 1913.]

WHEREAS Imperial Underwriters' Corporation has by Preamble.
its petition represented that it was incorporated by
chapter 54 of the statutes of 1907 of British Columbia, under B.C., 1907,
the name of "Imperial Underwriters' Corporation" and c. 54.
that the said company has, since the date of its incorpora-
tion, carried on the business of fire insurance in the province
of British Columbia; and whereas the said company has
prayed that it be enacted as hereinafter set forth, and it is
expedient to grant the prayer of the said petition: Therefore
His Majesty, by and with the advice and consent of the
Senate and House of Commons of Canada, enacts as
follows:—

1. The shareholders of the company mentioned in the Incorporation.
preamble, hereinafter called "the old Company," together
with such persons as become shareholders in the company
incorporated by this Act, are hereby incorporated under
the name of "Imperial Underwriters Corporation of Canada," Corporate name.
hereinafter called "the new Company."

2. The capital stock of the new Company shall be one Capital stock.
million dollars, divided into ten thousand shares of one
hundred dollars each.

3. Each shareholder of the old Company is hereby Shares in old and new companies.
declared to be the holder of as many shares in the new
Company as he holds shares in the old Company at the
time that this Act shall take effect, with the same per-
centage paid on each such share in the new Company as
255 shall

shall then have been paid into the old Company upon each share held by such shareholder.

Liability of
shareholders
in new
company.

2. The liability of a shareholder of the new Company upon the said shares of the new Company so held by him shall amount per share to the difference only between the sum already paid upon each share and the sum of one hundred dollars.

Liability of
shareholders
of old com-
pany to pay
calls.

4. Nothing in this Act shall be construed so as to affect the liability of the shareholders of the old Company, who have not paid the calls already made upon the shares of the old Company, to pay the said calls.

To creditors
and policy-
holders.

5. Nothing in this Act shall be so construed as to lessen the liability of the shareholders of the old Company to the present creditors or to the present policy-holders of the old Company.

Acquisition
of old com-
pany's
assets.

6. The new Company may acquire all assets, rights, credits, effects and properties, real, personal or mixed, of whatever kind and wheresoever situated, belonging to the old Company, or to which it is, or may be, or may become entitled, subject, however, to existing mortgages or liens, if any; and in such case the new Company shall be liable for and subject to, and shall pay, discharge, carry out, and perform all the debts, liabilities, obligations, and contracts of the old Company; and such debts, liabilities, obligations, and contracts of the old Company shall be a first charge on the said assets, rights, credits, effects, and property belonging to the old Company and acquired by the new Company; and any person having any claim, demand, right, cause of action, or complaint against the old Company, or to whom the old Company is under any obligation, liability, or contract, shall have the same rights and powers with respect thereto and to the collection and enforcement thereof, from and against the new Company and its shareholders, as such person has against the old Company and its shareholders: Provided, however, that the shareholders of the new Company shall not be individually liable, under section 150 of *The Companies Act*, with respect to their shares in the new Company, to such person, unless such person abandons his right in respect of the shares in the old Company.

Liability for
old com-
pany's obli-
gations.

Individual
liability of
shareholders.
R.S., c. 79.

Directors
and officers
continued.

7. The directors and officers of the old Company shall be, respectively, the officers and directors of the new Company until their successors are duly elected or appointed, and all by-laws, rules, and regulations of the

old Company, not contrary to law or inconsistent with this Act, or *The Insurance Act, 1910*, shall be the by-laws, rules, and regulations of the new Company until amended or repealed. By-laws continued.

8. The head office of the new Company shall be at the city of Toronto, in the province of Ontario. Head office.

9. The new Company may carry on the business of fire insurance, the business of plate glass insurance, and the business of accident insurance, as defined by section 2 of *The Insurance Act, 1910*. Business.
1910, c. 32.

10. The new Company shall not commence the business of fire insurance until at least one hundred thousand dollars have been paid upon its capital stock. Commencement of business of fire insurance.

2. The new Company shall not commence the business of plate glass insurance, in addition to fire insurance, until its paid-up capital stock amounts to one hundred and twenty thousand dollars. Plate glass insurance.

3. The new Company shall not commence the business of accident insurance, in addition to fire and plate glass insurance, until its paid-up capital stock amounts to one hundred and seventy thousand dollars. Accident insurance.

4. In addition to the several sums required to be paid upon capital stock as above provided, a further sum of seventy-five thousand dollars shall be paid thereon within five years after a license has been granted to the Company, in such manner that at no time within the said five years shall the amount which may have been paid be less than the amount which would have been paid by an annual payment of fifteen thousand dollars. Further sum payable after license.

11. Except as otherwise provided by this Act, the new Company shall have all the powers, privileges, and immunities, and shall be subject to all the liabilities and provisions, set out in *The Insurance Act, 1910*, so far as they may be applicable to the new Company. 1910, c. 32 to apply.

12. A license shall not be issued to the new Company unless and until the Superintendent of Insurance has been satisfied, by such evidence as he may require, that the old Company is ceasing to do business, nor unless and until such undertaking as he may require has been given that the old Company will entirely cease to do business within such reasonable time as he may fix. Issue of license conditional.

13. This Act shall not take effect unless and until accepted and approved by resolution passed by a vote of Commencement of Act.

not less than ninety per cent in value of all the shareholders of the old Company, at a special general meeting of the old Company duly called for the purpose of considering this Act; and, if so accepted and approved, this Act shall come into force upon a subsequent day to be fixed for that purpose by the said resolution. Any shareholder may, at such meeting, be represented by proxy.

Publication
of notice.

2. Notice of such acceptance and approval, and of the day so fixed, shall be published by the new Company in *The Canada Gazette*.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 138.

An Act for the relief of George Daniel Ingleby.

[Assented to 2nd April, 1913.]

WHEREAS George Daniel Ingleby, of the city of Toronto, Preamble.
in the province of Ontario, accountant, has by his petition alleged, in effect, that on the fourteenth day of September, A.D. 1892, at the said city of Toronto, he was lawfully married to Gertrude Harrison; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto, in A.D. 1895, she committed adultery with a person whose name is unknown; that in A.D. 1895, she deserted the said George Daniel Ingleby; that at the city of New York, in the state of New York, one of the United States of America, in or about the month of December, A.D. 1911, she was living as wife with husband with one Dixon, and thereby committed adultery; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between George Daniel Ingleby and Gertrude Harrison, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said George Daniel Ingleby may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Gertrude Harrison had not been solemnized.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 139.

An Act to incorporate Intercolonial Trust Company.

[Assented to 10th April, 1913.]

WHEREAS the Intercolonial Trust and Investment Company, Limited, has by its petition represented that it is incorporated under the "Companies Act" of British Columbia, for the purposes and with the powers in its memorandum of association mentioned, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
B. C., 1910,
c. 7.

1. Edward Courtenay Mayers, barrister, John Lynn Davidson, grain merchant, William Bruce Bernard Ryan and Archibald Campbell Mitchell Innes, financial agents, and Henry Graham Lawson, solicitor, all of the city of Victoria, in the province of British Columbia, together with such persons as become shareholders in the company hereby incorporated, are incorporated under the name of "Intercolonial Trust Company," hereinafter called "the Company."

Incorpor-
ation.
Corporate
name.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business, and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls upon stock subscribed and receive payments thereon, and shall deposit in a chartered bank in Canada all moneys received by them on account of the stock so subscribed for, or otherwise received by them on account of the Company, and may

Provisional
directors.
Powers.

261 withdraw

Number of directors. withdraw the said moneys for the purposes of the Company only, and may fix the number of directors to be elected at the first meeting of the Company, which number may, by by-law, be changed for subsequent elections and may do generally what is necessary to organize the Company.

Capital stock. **3.** The capital stock of the Company shall be one million dollars, divided into ten thousand shares of one hundred dollars each.

Head office. **4.** The head office of the Company shall be in the city of Vancouver, in the province of British Columbia, and the directors may establish branch offices and local advisory boards at such other places in Canada or elsewhere as they determine.

Branch offices. Commencement of business. **5.** The Company shall not commence business until at least one hundred and fifty thousand dollars of stock have been *bona fide* subscribed and one hundred thousand dollars paid thereon in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act.

Directors. **6.** The affairs of the Company shall be managed by a board of not less than seven nor more than twenty-one directors, a majority of whom shall be a quorum.

Qualifications. **2.** No shareholder shall be eligible for election as a director unless he holds in his own right at least twenty shares upon which all calls due have been paid; and if any director makes an assignment for the benefit of creditors, or comes within the operation of any insolvent law then in force or ceases to hold twenty shares in his own right, he shall *ipso facto* cease to be a director, and his place may be filled for the remainder of the term by the directors from among the qualified shareholders of the Company.

Resolution signed by all directors. **3.** The shareholders may, by by-law, provide that a resolution in writing signed by all the directors shall be as valid as if it had been passed at a meeting of the directors.

Calls on stock. **7.** Calls on stock may be made by the directors at such times and in such proportions as they deem proper.

Business. **8.** The Company may—
Trust money. (a) receive money in trust for the purposes herein specified, and invest and accumulate it at such lawful rates of interest as can be obtained therefor;

Trustee. (b) accept and execute all such trusts of every description and nature as are entrusted to it by any government or person,

son, or committed or transferred to it by any order, judgment or decree of any court in Canada or elsewhere; execute the offices of executor, administrator, trustee, accountant, arbitrator, adjuster, auditor, receiver, assignee, liquidator, sequestrator, official guardian, guardian, curator or committee of a lunatic, and perform the duties of such offices or trusts as fully and completely as any person so appointed could do; receive and manage any sinking fund on such terms as may be agreed upon; take, hold and accept by grant, assignment, transfer, deed, will, devise, bequest, or otherwise, any real or personal estate upon any lawful trusts, and perform and execute them according to the terms and for the purposes declared, established or agreed upon; accept from, and execute trusts for, married women in respect of their separate property, real or personal, and act as agent for them in the management of such separate property; guarantee repayment of the principal or payment of the interest, or both, of any moneys entrusted to the Company for investment, on such terms and conditions as are agreed upon; act as agent for countersigning, registering, or otherwise ascertaining and certifying to the genuineness of any issue of stock, bonds, debentures or other securities for money of any government, or municipal or other corporate body duly authorized to issue and make the said issue, and hold the said securities as agent or trustee; and act generally as fiscal or other agent for any such government or corporate body;

(c) act as agent or attorney for winding-up estates, Agent. receiving or collecting any principal, interest, rents, coupons, mortgages, debts, debentures or other securities or evidences of debt or demands of any nature, and in the sale or purchase of any real or personal property, and generally act in all matters in the nature of a trust or general agency;

(d) be the custodian on such terms as are agreed upon Custodian. of jewellery, plate and other movable property of any kind, and of deeds, wills, policies of insurance, bonds, debentures, securities for money, or other valuable papers and documents and guarantee the safe-keeping of the same, and lease and hire, for such compensation and remuneration and upon such terms and conditions as may be agreed upon, its vaults, safes and receptacles;

(e) act as investing and managing agent of estates and properties for and on behalf of executors, administrators Management of estates. and trustees or other persons;

(f) receive and collect such remuneration for its services Remuneration. as is agreed upon or as fixed or allowed by law, and all usual and customary charges, costs and expenses;

(g) receive moneys in trust for investment and allow interest thereon for a reasonable time until invested, and Investments.

advance moneys to protect any estate, trust or property entrusted to it as aforesaid, and charge lawful interest upon any such advances: Provided that nothing herein shall be held either to restrict or to extend the powers of the Company as trustee or agent under the terms of any trust or agency that may be conferred upon it;

Securities
for debts.

(h) take securities of such nature as are deemed expedient for any moneys owing to the Company;

Rights,
privileges
and
concessions
from
governments.

(i) obtain from any government any rights, privileges and concessions which the Company thinks it desirable to obtain, and carry out, exercise and comply with any such rights, privileges and concessions, not inconsistent with the provisions of this Act or of any other Act of the Parliament of Canada;

Real estate.

(j) hold such real estate as is necessary for the transaction of its business, and any further real estate of whatever value which, being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and sell, mortgage, lease or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition, unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Trustee.

9. In all cases where application is made to any court, judge, officer or person having authority to make an appointment to any office or trust, the Company, with its consent, may be appointed to hold such office or trust, with the substitution, if necessary, for any obligations required from any private person appointed to such office or trust, of such obligations as are applicable to corporations, and with such remuneration as may be fixed; and in respect of any such appointment by any such court or judge, the Company shall be subject at all times to the orders, judgments and decrees thereof, and shall render such verified statements, accounts and receipts as may be required by law or be ordered with reference thereto.

Investment
of trust
moneys.

10. The Company shall invest trust moneys as follows and may manage, sell or dispose of such investments as the terms of the trust require:—

Mortgages
of real
estate.

(a) Upon first mortgages of or hypothecs upon improved freehold property of ample value in Canada, the British Empire or the United States, and may accept personal property or covenants by way of collateral security thereto: Provided, however, that investments

in any country other than Canada shall be limited to moneys received from such country;

- (b) In the stock, funds or government securities of Canada, or of any province of Canada, or of the United States, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in any such province, other than municipal corporations having a population of less than two thousand or an annual rate of assessment exceeding two cents on the dollar exclusive of school tax, or in the bonds and debentures of any school district in any such province, or in the public stock, funds or government securities of the United Kingdom, or of any of the colonies or dependencies thereof;

- (c) In such securities as are authorized by the terms of the trust.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form or are part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed, unless the will, deed, or instrument creating the trust provides otherwise.

11. The moneys and securities of any such trust shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company, so that at no time shall trust moneys form part of or be mixed with the general assets of the Company; and the Company shall, in the receipt of rent and in the overseeing and management of trusts and other property, keep distinct records and accounts of all operations connected therewith; provided that in the management of the money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust money in the manner provided by section 10 of this Act in a general trust fund of the Company; provided always that the total amount of money of any one trust invested in the said general trust fund shall not, at any time, exceed three thousand dollars.

12. The Company may invest any money forming part of its own capital or reserve or accumulated profit thereon

in any of the securities mentioned in section 10 of this Act, or on the security of real estate in Canada, or any interest in such real estate, or on the security of the debentures, bonds, stock and other securities of any chartered bank or company incorporated by or under the authority of the Parliament of Canada, or of the legislature of any province, as the directors deem expedient.

Accounts to be rendered by Company when made trustee by court.

13. In case of the appointment of the Company to any trust or office by any court in Canada, or any judge, officer or person having lawful authority in that behalf, such court, judge, officer or person may require the Company to render an account of its administration of the particular trust or office to which it has been appointed, and may appoint a suitable person to investigate the management of such particular trust by the Company, and as to the security afforded to those by or for whom its engagements are held, and such person shall report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge or officer thereof.

Note issue prohibited.

14. Nothing in this Act shall be construed to authorize the Company to issue any note payable to bearer, or any promissory note intended to be circulated as money, or as the note of a bank, or to engage in the business of banking or of insurance.

Banking prohibited.

Annual statement to be given to Minister of Finance.

15. The Company shall prepare, and annually transmit to the Minister of Finance, a statement in duplicate, verified by the oath of the president or vice-president and of the manager or secretary, setting forth the capital stock of the Company, the portion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and such statement shall be made up to the thirty-first day of December in each year.

Penalty for neglect.

2. If the Company, for the space of one month, neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default shall incur the like penalty.

Acquisition of business of

16. The Company may acquire the stock and the whole or any part of the business, rights and property of the In-

tercolonial Trust and Investment Company, Limited, (mentioned in the preamble), conditional upon the assumption by the Company of such duties, obligations and liabilities of the said company with respect to the business, rights and property so acquired as are not performed or discharged by the said company.

Inter-colonial Trust and Investment Company, Limited.

17. The Company may acquire the whole or any part of the business, rights and property of any other companies within the legislative power of the Parliament of Canada carrying on any business which the Company is authorized to carry on, conditional upon the assumption by the Company of the duties, obligations and liabilities of every such company with respect to the business, rights and property so acquired as are not performed or discharged by such company: Provided that no such agreement shall take effect until it has been submitted to and approved of by the Treasury Board.

Acquisition of business of other companies.

18. For the purpose of carrying out the objects of the Company as set forth in section 8 hereof but for no other purpose, the directors of the Company may, if authorized by by-law sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting duly called for that purpose,—

Borrowing powers.

- (a) borrow money upon the credit of the Company;
- (b) limit or increase the amount to be borrowed;
- (c) hypothecate, mortgage or pledge the real or personal property of the Company, or both, (other than property held in trust) to secure any money borrowed for the purposes of the Company.

19. Part II of *The Companies Act*, except sections 125, 141 and 165 thereof, shall apply to the Company; but section 134 of *The Companies Act* shall, so far as relates to the Company, be read as if the words "other than a trust company," in the first two lines thereof, did not occur in the said section 134.

Exception.

20. The powers granted by this Act shall expire, and this Act shall cease to be in force, for all purposes, except for the winding up of the Company, at the end of two years from the passing thereof, unless the Company goes into actual operation within such two years.

Forfeiture of charter by non-user.



3 - 4 GEORGE V.

CHAP. 140.

An Act respecting the Kettle Valley Railway Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1901, c. 68;
1903, c. 138;
1904, c. 89;
1906, c. 117;
1909, c. 95;
1910, c. 115;
1911, c. 101;
1912, c. 110.

1. The Kettle Valley Railway Company, hereinafter called "the Company," may lay out, construct and operate the following lines of railway, namely:—

Lines of
railway
authorized.

(a) From a point on its authorized line at or near Summers creek, or One Mile creek, by the most feasible route, to the Copper Mountain and Voigt mining camps situate about fifteen miles southwest of Princeton, in the province of British Columbia;

(b) From a point at or near Vernon in a southerly or southeasterly direction, by way of Kelowna and by the most feasible route, to a point at or near Penticton, in the said province;

(c) From the terminus of the branch authorized by paragraph (b) of section 2 of chapter 101 of the statutes of 1911, in a northerly and northwesterly direction, by the most feasible route, to the Otter Summit, situate about thirty miles south of Merritt, in the said province;

(d) From a point on the line described in paragraph (c) of this section, at or near Tulameen, in a westerly direction up the Tulameen river, in the said province, a distance of about fifty miles.

2. The Company may, within two years after the passing of this Act, commence to construct the lines of railway authorized

Time for
construction
of railways
limited.

authorized by section 1 of this Act, and may within five years after the passing of this Act complete the said lines of railway, and if within the said periods respectively such lines are not so commenced or are not so completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of such lines of railway as then remains uncompleted.

Time for
construction
of railways
extended.

3. The Company may within two years after the passing of this Act commence to construct and within five years after the passing of this Act complete and put in operation the following lines of railway which it was authorized to construct by section 2 of chapter 101 of the statutes of 1911, namely:—

(a) From a point at or near Penticton, in the province of British Columbia, by the most feasible route, to a point on the international boundary at or near the shore line of Osoyoos Lake;

(b) From a point on the Company's line at or near Summer Creek, by the most feasible route, to a point in the Similkameen valley, at or near Allison or Princeton and thence by the most feasible route to the Granite creek coal areas, near the junction of Granite creek with the Tulameen river;

(c) From a point on the Company's line at or near Hope, from the Coldwater river to the Fraser river, by the most feasible route, to the Steamboat Mountain Mining Camp.

Limitation.

2. If, within the said periods respectively, the said lines are not so commenced or are not so completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of such lines as then remains uncompleted.

Issue of
securities
on railway.

4. The securities issued by the Company in respect of the lines of railway hereby authorized shall not exceed forty thousand dollars per mile of the said railways, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Agreement
with Cana-
dian Pacific
Railway Co.

5. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into an agreement with the Canadian Pacific Railway Company for any of the purposes specified in the said section 361, and may lease its railway to the said Canadian Pacific Railway Company, but the approval of the shareholders of the said

Approval of
shareholders.

Canadian Pacific Railway Company to such agreement and lease shall be sufficient if the provisions of section 6 of chapter 47 of the statutes of 1890 are complied with.

1 , c. 47.

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3-4 GEORGE V.

CHAP. 141.

An Act respecting the Kootenay and Arrowhead Railway Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1901, c. 70;
1906, c. 119;
1909, c. 97;
1911, c. 103.

1. The Kootenay and Arrowhead Railway Company, hereinafter called "the Company," may, within two years after the passing of this Act, commence to construct the unconstructed portion of the railway authorized by section 7 of chapter 70 of the statutes of 1901, being from Gerrard to Arrowhead, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said unconstructed portion of the said railway is not so commenced or is not completed and put in operation within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for
construction
of railway
extended.

2. Chapter 103 of the statutes of 1911 is repealed.

1911, c. 103
repealed.

3. Section 12 of chapter 70 of the statutes of 1901 is amended by striking out all the words after "saw-mills" in line 4 thereof to the end of the section.

1901, c. 70
amended.

Works, etc.

4. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company

Transmission
and delivery
of power and
electricity.

Company may acquire, but not by expropriation, electric and other power or energy, and transmit and deliver the same to any place in the district through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

R.S., c. 37.

Consent of municipalities required for telegraph and telephone lines upon highways, etc.

5. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

R.S., c. 126.

Consent of municipalities for railway upon highway.

6. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

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3-4 GEORGE V.

CHAP. 142.

An Act for the relief of Mabel Lacey.

[Assented to 2nd April, 1913.]

WHEREAS Mabel Lacey, presently residing at the Preamble.
city of Ottawa, in the province of Ontario, wife of
Gilbert Kent Lacey, formerly of the city of Winnipeg,
in the province of Manitoba, has by her petition alleged,
in effect, that they were lawfully married on the seventeenth
day of June, A.D. 1908, at the city of Norwich, in England,
she then being Mabel Waters, spinster; that the legal
domicile of the said Gilbert Kent Lacey was then in England
and is now in Canada; that at divers times during the
summer and autumn of the year 1911, at the said city of
Winnipeg, he committed adultery with one Angela Kauf-
man; that she has not connived at nor condoned the said
adultery; that there has been no collusion, directly or
indirectly, between him and her in the proceedings for
divorce; and whereas by her petition she has prayed for
the passing of an Act dissolving her said marriage, author-
izing her to marry again, and affording her such other
relief as is deemed meet; and whereas the said allegations
have been proved, and it is expedient that the prayer of
her petition be granted: Therefore His Majesty, by and
with the advice and consent of the Senate and House of
Commons of Canada, enacts as follows:—

1. The said marriage between Mabel Waters and Marriage dissolved.
Gilbert Kent Lacey, her husband, is hereby dissolved,
and shall be henceforth null and void to all intents and
purposes whatsoever.

2. The said Mabel Waters may at any time hereafter Right to marry again.
marry any man whom she might lawfully marry if the
said marriage with the said Gilbert Kent Lacey had not
been solemnized.

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3-4 GEORGE V.

CHAP. 143.

An Act to incorporate the Board of Management of the Canadian District of the Evangelical Lutheran Joint Synod of Ohio and other States.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented from the Preamble.
Evangelical Lutheran Joint Synod of Ohio and other States, a body duly incorporated under the laws of the state of Ohio, one of the United States of America, with offices at present in the city of Columbus in the state of Ohio, praying that the said synod be incorporated by the Parliament of Canada for certain purposes set forth in the said petition; and whereas the persons named in section 1 of this Act have represented that they are the members appointed as described in the said section 1, and whereas it is inexpedient to grant in full the prayer of the said petition but it is expedient to provide as hereinafter enacted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Reverend George Gehrke, the Reverend L. F. Tank, both of the city of Winnipeg, in the province of Manitoba, the Reverend O. T. Just, of the city of Vancouver, in the province of British Columbia, the Reverend C. Grout, of the town of Lethbridge, in the province of Alberta, and John Brod, esquire, of the city of Regina, in the province of Saskatchewan, who are the members of the Evangelical Lutheran Joint Synod of Ohio and other States, hereinafter called “the Synod,” appointed to superintend the concerns of the Canadian district of the Synod, and their successors from time to time lawfully appointed as such members, are hereby constituted a corporation, hereinafter called “the Board,” under the name of “The Board of Incorpor-
ation.
Corporate
name.
Management

Purposes.

Management of the Canadian District of the Evangelical Lutheran Joint Synod of Ohio and other States," for the purposes of administering in Canada the property, business and other temporal affairs of the Synod.

Powers.

2. The Board may, throughout Canada, maintain and carry on churches, missions and institutions of charity, and the businesses of printing and publishing in furtherance of the lawful objects of the Synod.

Head office.

3. The head office of the Board shall be at the town of Melville, in the province of Saskatchewan.

Power to make by-laws.

4. The Board may from time to time make by-laws, not contrary to law nor inconsistent with this Act, for:—

- (a) the administration, management and control of the property, affairs and business of the Board;
- (b) the appointment, functions, duties and election of all officers, agents and servants of the Board;
- (c) the appointment of committees and their duties;
- (d) the calling of meetings, regular or special, of the Board or of committees;
- (e) the fixing of the necessary quorum and procedure in all things at such meetings;
- (f) generally for the carrying out of the objects and purposes of the Board.

Power to hold and acquire real property.

5. The Board may purchase, take, have, hold, receive, possess, retain and enjoy, property, real and personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest therein whatsoever given, granted, devised or bequeathed to it, or appropriated, purchased, or acquired by it in any manner or way whatsoever, to, for, or in favour of the ecclesiastical and eleemosynary uses and purposes of the Board, or to, for, or in favour of the uses and purposes of any parish, mission, hospital, or other institution connected with, or intended to be connected with the work of the Board.

Limitation as to value.

2. The annual value of the real property held by or in trust for the Board in Canada, shall not exceed fifty thousand dollars.

Holding of real property by way of security.

3. The Board may also hold, for the uses and purposes aforesaid, such real property or estate therein as is *bona fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.

Obligation to dispose of lands.

6. No parcel of land, or interest therein, at any time acquired by the Board and not required for its actual

use and occupation, and not held by way of security, shall be held by the Board, or any trustee on its behalf, for a longer period than ten years after the acquisition thereof, but shall, at or before the expiration of such period, be absolutely sold or disposed of, so that the Board shall no longer retain any estate or interest therein, except by way of security.

Limit as to time.

2. Any such parcel of land, or any estate or interest therein, not within the exceptions hereinbefore mentioned, which has been held by the Board for a longer period than ten years without being disposed of, shall be forfeited to His Majesty for the use of Canada; but such forfeiture shall not take effect nor be enforced until the expiration of at least six calendar months after notice in writing from the Minister of Finance to the Board of the intention of His Majesty to claim such forfeiture.

Forfeiture to Crown.

3. The Board shall give the Minister of Finance when required a full and correct statement of all lands at the date of such statement held by the Board, or in trust for it, and subject to the provisions of this section.

Statement.

7. Subject always to the terms of any trust relating thereto, the Board may sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Board, whether simply by way of investment for the uses and purposes aforesaid or not; and may also, from time to time, invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by the Board for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property in any part of Canada; and, for the purposes of such investment, may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Board or to any other corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments, and may release and discharge such mortgages or assignments either wholly or partly.

Power to alienate, mortgage and convey real property.

8. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by sections 5 and 7 of this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations in so far as such laws apply to the Board.

Application of Dominion and Provincial mortmain laws.

Authority
for transfer
of property
held in
trust.

9. In so far as authorization by the Parliament of Canada is necessary, any person or corporation in whose name any property, real or personal, is held, in trust or otherwise, for the uses and purposes, aforesaid, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Board, to be held in such trust, if any.

Execution of
deeds.

10. Any deed or other instrument relating to real estate vested in the Board, or to any interest in such real estate, shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there are affixed thereto the seal of the Board and the signature of any officer of the Board duly authorized for such purpose, or of his lawful attorney.

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3-4 GEORGE V.

CHAP. 144.

An Act respecting the Manitoba and North Western Railway Company of Canada.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1893, c. 52;
1904, c. 94;
1907, c. 104;
1908, c. 126;
1909, c. 102;
1910, c. 121;
1911, c. 109;
1912, c. 115.

Time for
construction
of railways
extended.

1. The Manitoba and North Western Railway Company of Canada, hereinafter called "the Company," may commence the construction of the railways from Russell to the northern or western boundary of the province of Manitoba, from some point between Portage La Prairie and Arden to the northern or western boundary of the province of Manitoba, and from some point between Westbourne and Beautiful Plains, northwesterly in the direction of Lake Dauphin or Duck Mountains, which railways it was authorized to construct by section 9 of chapter 52 of the statutes of 1893, and the railways from a point between Theodore and Insinger to a point in township thirty-two, range eighteen or nineteen, west of the second meridian, and from Bradenbury to Kamsack, which it was authorized to construct by section 2 of chapter 104 of the statutes of 1907, and chapter 109 of the statutes of 1911, within two years after the passing of this Act, and may complete the said railways and put them in operation within five years after the passing of this Act; and if the said railways are not so commenced, or are not completed and put in operation, within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railways as then remains uncompleted.

1893, c. 52,
s. 9.

1907, c. 104.

1911, c. 109.

Time for
construction
of extension
of main line
extended.

1893, c. 52,
s. 9.

Consent of
municipali-
ties.

Repeal.

2. The Company may, within three years after the passing of this Act, complete and put in operation the extension of the main line which it was authorized to construct by section 9 of chapter 52 of the statutes of 1893, from Yorkton to a point at or near Prince Albert; if the said extension is not so completed and put in operation within the said period the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said extension as then remains uncompleted.

3. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

4. Sections 1 and 3 of chapter 109 of the statutes of 1911 are repealed.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 145.

An Act to incorporate the Manitoba-Ontario Railway Company.

[Assented to 10th April, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. James P. Jones, grain merchant, and William Henry Hamilton, physician, both of the city of Fort William, in the district of Thunder Bay, John Jacob Drew, barrister at law, of the city of Guelph, in the county of Wellington, John Thomas Horne, mine owner, and William Arthur Dowler, barrister at law, both of the city of Fort William, in the said district of Thunder Bay, all in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "The Manitoba-Ontario Railway Company," hereinafter called "the Company." Incorporation.
Corporate name.

2. The persons named in section 1 of this Act are hereby constituted provisional directors of the Company. Provisional directors.

3. The capital stock of the Company shall be four million dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

4. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting, or at any special general meeting duly called for Preference stock.
that

Priority.

Rights of
preference
stock-holders.

Head office.

Annual
meeting.

Directors.

Line of
railway
described.

Consent of
municipali-
ties.

that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock; and preference stock so issued shall have such preference and priority as respects dividends or otherwise over ordinary stock as is declared by the resolution. Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of *The Railway Act*, and shall in all respects other than the preference and priority provided for by this section possess the rights and be subject to the liabilities of such shareholders.

5. The head office of the Company shall be at the city of Fort William, in the district of Thunder Bay, in the province of Ontario.

6. The annual meeting of the shareholders shall be held on the fourth Thursday in September.

7. The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

8. The Company may lay out, construct, and operate a railway of the gauge of four feet eight and one-half inches, from a point on Lake Superior, in the city of Fort William, in the province of Ontario, thence, by the most feasible route, to a point on the Lake of the Woods at or near Falcon island, thence across the Lake of the Woods to a point, by the most feasible route, in or near the city of Winnipeg, in the province of Manitoba, together with a branch line, from a point on the main line of the said railway at or near White Fish lake, southwesterly to a point on the international boundary between the province of Ontario and the state of Minnesota, at or near Gun Flint lake, and also a branch line, from a point on the main line of the said railway at or near Manitou lake, thence northerly to a point at or near Dryden, thence northerly to a point on the National Transcontinental Railway, within the district of Kenora.

9. The Company shall not construct or operate its railway along any highway, street or other public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

10. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise, and may construct, acquire and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property.

Vessels.

Wharfs,
docks, etc.

11. The Company may, for the purposes of its undertaking, construct, acquire or lease buildings for hotels and restaurants along its railway, and may carry on such business in connection therewith as tends to the comfort and convenience of the travelling public; and may lay out and manage parks and summer and pleasure resorts, with the approval, expressed by by-law, of the municipality having jurisdiction over the place in which such parks and summer and pleasure resorts are situated, and may lease the same.

Hotels, etc.

Parks, etc.

12. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of *The Railway Act*, enter into contracts with any companies having telegraph and telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, any such companies.

Telegraph
and
telephones.Contracts
with other
companies.

2. No toll or charge shall be demanded or taken for the transmission of any messages or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

Tolls or
charges.

3. Part II of *The Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with *The Railway Act*, shall apply to the telegraphic business of the Company.

R. S., c. 126.

13. The securities issued by the Company shall not exceed forty thousand dollars per mile of its railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Bonding
powers.

14. In addition to the securities authorized by section 13 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may borrow money for the purposes of the railway.

Issue of
securities for
purposes
other than
railway.

moneys for the acquisition, construction, extension, or development of any such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works in respect whereof the issue is made.

Agreements
with other
companies.

15. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Northern Railway Company and the Port Arthur, Duluth and Western Railway Company, or any of them.

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3-4 GEORGE V.

CHAP. 146.

An Act respecting the Manitoba Radial Railway Company.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1907, c. 105;
1909, c. 103;
1911, c. 110.

1. The Manitoba Radial Railway Company may, within two years after the passing of this Act, commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon, and may, within five years after the passing of this Act, complete the said railway and put it in operation; and if, within the said periods respectively, the said railway is not commenced and such expenditure is not made, or if the said railway is not finished and put in operation, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for
construction.

2. Chapter 110 of the statutes of 1911 is hereby repealed.

Repeal.

3. Section 10 of chapter 105 of the statutes of 1907 is amended by inserting after the word "acquire," in the third line thereof, the words "but not by expropriation," and by striking out the words "authorized to be" in the fifth line thereof.

1907, c. 105,
s. 10
amended.

4. Section 11 of the said chapter 105 is amended by inserting after the word "Act," in the first line thereof,

S. 11
amended.

the words "or in *The Telegraphs Act*," and by adding at the end of the said section the words "or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality," without the consent, expressed by by-law, of such municipality."

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3-4 GEORGE V.

CHAP. 147.

An Act for the relief of Mary Susan Marlatt.

[Assented to 2nd April, 1913.]

WHEREAS Mary Susan Marlatt, presently residing Preamble.
at the town of Aylmer, in the province of Ontario,
wife of Arthur Pettit Marlatt, of the township of Yarmouth,
in the said province, yeoman, has by her petition alleged,
in effect, that they were lawfully married on the eighteenth
day of October, A.D. 1899, at the city of St. Thomas,
in the said province, she then being Mary Susan Ashton,
spinster; that the legal domicile of the said Arthur Pettit
Marlatt was then and is now in Canada; that at his residence
in the said township of Yarmouth, on several occasions
during the summer of the year 1901, he committed adultery
with a maid-servant then in his employment; that she has
not connived at nor condoned the said adultery; that there
has been no collusion, directly or indirectly, between him
and her in the proceedings for divorce; and whereas by
her petition she has prayed for the passing of an Act
dissolving her said marriage, authorizing her to marry
again, and affording her such other relief as is deemed
meet; and whereas the said allegations have been proved,
and it is expedient that the prayer of her petition be granted:
Therefore His Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada, enacts
as follows:—

1. The said marriage between Mary Susan Ashton Marriage dissolved.
and Arthur Pettit Marlatt, her husband, is hereby dissolved,
and shall be henceforth null and void to all intents and
purposes whatsoever.

2. The said Mary Susan Ashton may at any time Right to marry again.
hereafter marry any man whom she might lawfully marry
if the said marriage with the said Arthur Pettit Marlatt
had not been solemnized.



3-4 GEORGE V.

CHAP. 148.

An Act for the relief of Beatrice Emma Mayers.

[Assented to 2nd April, 1913.]

WHEREAS Beatrice Emma Mayers, presently residing Preamble.
at the city of Toronto, in the province of Ontario, wife of William Mytton Mayers presently of the city of Winnipeg, in the province of Manitoba, has by her petition alleged, in effect, that they were lawfully married on the third day of May, A.D. 1911, at Ellacombe, in the county of Devon, in England, she then being Beatrice Emma Crocker, spinster; that the legal domicile of the said William Mytton Mayers was then and is now in Canada; that at the city of New York, in the state of New York, one of the United States of America, at divers times between the twenty-second day of August, A.D. 1911, and the middle of March, A.D. 1912, he committed adultery with a woman whose name is unknown; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Beatrice Emma Crocker and William Mytton Mayers, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said Beatrice Emma Crocker may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William Mytton Mayers had not been solemnized.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 149.

An Act for the relief of George Geddes McDonald.

[Assented to 2nd April, 1913.]

WHEREAS George Geddes McDonald, of the city of Preamble.
Montreal, in the province of Quebec, has by his petition alleged, in effect, that on the tenth day of March, A.D. 1909, at the city of Philadelphia, in the state of Pennsylvania, one of the United States of America, he was lawfully married to Jane Lewis Kelly; that she was then of the said city of Philadelphia, a spinster; that his legal domicile was then and is now in Canada; that at the city of Montreal, in the province of Quebec, on or about the seventeenth day of June, A.D. 1911, and on divers other occasions before that date, she committed adultery with one Henderson; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between George Geddes McDonald and Jane Lewis Kelly, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said George Geddes McDonald may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Jane Lewis Kelly had not been solemnized.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 150.

An Act for the relief of Frank William Meek.

[Assented to 6th June, 1913.]

WHEREAS Frank William Meek, of the city of Toronto, Preamble.
in the province of Ontario, superintendent of The M. Langmuir Manufacturing Company, Limited, has by his petition alleged, in effect, that on the fifteenth day of September, A.D. 1892, at Pilley's Island, Newfoundland, he was lawfully married to Phoebe Mary Atkins; that she was then of Little Bay, Newfoundland, a spinster; that his legal domicile was then in Newfoundland, and is now in Canada; that at the city of Toronto, in the province of Ontario, on or about the tenth day of December, A.D. 1910, she deserted him; that at the said city of Toronto, during the year 1911, and more particularly during the months of November and December of that year, she committed adultery with one Earl Hillier; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Frank William Meek and Phoebe Mary Atkins, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again. **2.** The said Frank William Meek may at any time
hereafter marry any woman he might lawfully marry if the
said marriage with the said Phoebe Mary Atkins had not
been solemnized.

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3-4 GEORGE V.

CHAP. 151.

An Act to incorporate the Metropolitan Mortgage and Loan Corporation.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Elisha Frederick Hutchings, wholesale merchant, William Charles Leistikow, exporter, William Linton Parrish, exporter, Thomas Berry, broker, John Thompson, capitalist, Donald Ross Dingwall, jeweller, Robert Mills Simpson, physician, Frederick William Leistikow, exporter, John Alexander Forlong, manager, and John Hillyard Leech, one of His Majesty's counsel learned in the law, all of the city of Winnipeg, in the province of Manitoba, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Metropolitan Mortgage and Loan Corporation," hereinafter called "the Company." Incorporation.
Corporate name.

2. The persons named in section 1 of this Act shall be the first or provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business, and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls on stock subscribed and receive payments thereon, and shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed, or otherwise received by them on account of the Company, and may withdraw the Provisional directors.
Powers.
same

same only for the purposes of the Company and may fix the number of directors to be elected at the first annual meeting of the Company, which number may, by by-law, be changed for subsequent elections, and may do generally what is necessary to organize the Company.

Capital
stock.

3. The capital stock of the Company shall be two million dollars, divided into twenty thousand shares of one hundred dollars each.

Issue in
currency.

4. The capital stock of the Company may be issued either in sterling or in currency, or both, as the directors determine and if any of such capital stock is issued in sterling it shall be at the rate of four dollars and eighty-six and two-thirds cents per pound sterling.

Calls.

5. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice shall be given of any call and any notice of call may be effectually given by sending the notice by registered letter post paid to the address of the shareholders as given in the books of the Company.

Notice.

Head
office.

6. The head office of the Company shall be at the city of Winnipeg, in the province of Manitoba; but the Company may establish branch offices and places of business elsewhere.

Branch
offices.

Business.

7. The Company may carry on the business of lending money on the security of, or purchasing or investing in,—

Mortgages
on real
estate, etc.

(a) mortgages or hypothecs upon freehold or leasehold real estate, or other immovables, and agreements for sale of lands, upon which agreement not more than sixty per cent of the purchase price of the lands agreed to be purchased still remains to be paid;

Stocks and
securities.

(b) the debentures, bonds, fully paid-up stocks and other securities of any government or of any municipal corporation or school corporation, or of any incorporated company, if incorporated in Canada or any province of Canada, or any former province now forming part of Canada, provided that the Company shall not lend upon the security of or purchase or invest in bills of exchange or promissory notes; provided also that the loan upon the security of or the purchase or investment in the debentures, bonds, stocks or other

Proviso.

securities of any company so incorporated shall not exceed one-fifth of the paid-up capital of any such company nor one-tenth of the paid-up capital stock of the Company; provided also that the Company shall not invest in or lend money upon the security of the stocks of any other loan company. Limitation.

8. The Company may, subject to the provisions of section 37 of this Act, take and hold title to all lands covered by agreements for sale dealt with by it pursuant to the provisions of paragraph (a) of section 7 of this Act. Title to certain lands.

9. The Company may acquire, hold, sell, mortgage, lease or otherwise dispose of any real property acquired in whole or in part for the use or occupation of the Company, and may erect buildings thereon and may lease any portions of such buildings which are not required for the occupation of the Company; but the annual value of the portions of such property not required for the occupation of the Company shall not at any time exceed one per cent of the paid-up capital of the Company. Real property.

10. The Company may take personal security, and security on personal property, as collateral for any advance made, or to be made, or contracted to be made by or for any debt due to the Company. Personal security.

11. The Company shall not borrow or lend money or otherwise carry on business until it has obtained from the Minister of Finance a certificate permitting it to do so; and no application for such certificate shall be made, and no such certificate shall be given, until the board of directors has been elected as required by this Act, nor until it has been shown to the satisfaction of the Minister of Finance that at least five hundred thousand dollars of the capital stock of the Company have been *bona fide* subscribed and at least one hundred thousand dollars thereof have been paid in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act. No such certificate shall be given unless application therefor is made within two years after the passing of this Act, or within such extended period as the Governor in Council, before the expiration of such two years, allows: Provided, that should such application not be duly made within the time limited, or should such certificate be refused, this Act shall thereupon cease to be in force except for the purpose of winding up the affairs of the Company and returning to the subscribers the amounts paid upon the subscribed stock, or so much thereof as they are entitled to. Commencement of business.
Certificate of Minister of Finance.

Agency
association.

12. The Company may act as an agency association for the interest and on behalf of others who entrust it with money for that purpose and may, either in the name of the Company or of such others, lend and advance money to any person or municipal or other authority, or any board or body of trustees or commissioners, upon such securities as are mentioned in section 7 of this Act; and may purchase and acquire any securities on which it is authorized to advance money, and resell the same.

Enforcement
of agree-
ments.

2. The conditions and terms of such loans and advances, and of such purchases and resales, may be enforced by the Company for its benefit, and for the benefit of the person for whom such money has been lent or advanced, or such purchase and resale made; and the Company shall have the same power in respect of such loans, advances, purchases and sales as are conferred upon it in respect of loans, advances, purchases and sales made from its own capital.

Guarantee of
repayment.

3. The Company may also guarantee the repayment of the principal or the payment of the interest, or both, of any money entrusted to the Company for investment.

Employment
of capital.

4. The Company may, for every or any of the foregoing purposes, lay out and employ the capital and property, for the time being, of the Company, or any part of the moneys authorized to be raised by the Company in addition to its capital for the time being, or any moneys so entrusted to it as aforesaid; and may do, assent to, and exercise all acts whatsoever which, in the opinion of the directors of the Company, are requisite or expedient to be done in regard thereto.

Moneys
guaranteed
to be deemed
borrowed.

5. All moneys as to which the repayment of the principal or payment of interest is guaranteed by the Company shall, for the purposes of this Act, be deemed to be money borrowed by the Company.

Liquidation
of companies.

13. The Company may liquidate, and carry on for the purposes of such liquidation, the business of any other company carrying on any business which the Company is authorized to carry on, upon such terms as may be agreed upon.

Loans on
paid-up
stock.

14. The Company may, subject to any limitation or prohibition imposed by its by-laws, lend upon its own paid-up stock to an amount not exceeding in the aggregate of all such loans ten per cent of the Company's paid-up stock, but no such loan shall exceed eighty per cent of the then current market value of such stock.

Power to
acquire
business,
etc., of other
companies.

15. The Company may purchase the entire assets and acquire and undertake the whole or any part of the business,

business, property and liabilities and the name and goodwill of any other company carrying on any business which the Company is authorized to carry on, and pay therefor in cash or in stock, either paid up or partly paid, or partly in cash and partly in stock, either paid up or partly paid, or in any other manner: Provided that no such agreement shall become operative and effective unless it has been submitted to and approved by the Treasury Board.

16. The affairs of the Company shall be managed by a board of not more than ten nor less than five directors, a majority of whom shall be a quorum; provided that the quorum may, by by-law, be fixed at a number greater than a majority.

17. In the event of vacancies occurring in the board, five or more directors shall, until such vacancies are filled, form a sufficient board for all purposes of the Company.

2. When the number of directors falls below five it shall be the duty of the remaining directors to at once appoint from among the qualified shareholders of the Company sufficient other directors to make the full complement of five.

18. No shareholder shall be eligible for election as a director unless he holds in his own right at least twenty shares upon which all calls due have been paid; and if any director makes an assignment for the benefit of his creditors, or comes within the operation of any insolvent law then in force, or ceases to hold twenty shares in his own right, he shall *ipso facto* cease to be a director and his place may be filled for the remainder of the term.

19. The shareholders of the Company, at any special general meeting thereof duly called for considering such action, may, by resolution passed by a vote of not less than two-thirds in value of the shareholders present or represented by proxy, discharge from office any one or more, or all, members of the board of directors, and may at such meeting, or any adjournment thereof, elect another or other directors in his or their place for the balance of the term of such board, and the office of such director or directors being thus discharged shall terminate concurrently with such election.

20. The directors may, by by-law, create and issue any part of the capital stock as preference stock, giving it such preference and priority as respects dividends and otherwise over ordinary stock as may be declared by such by-law

and may by by-law reconvert any unissued portion of such preferred stock into ordinary stock.

When by-laws in force. 2. No such by-law shall have any force or effect until it has been sanctioned either by the shareholders in writing or by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering it, such vote being that of shareholders holding not less than two-thirds of the issued capital stock of the Company.

Rights of preference shareholders. 21. Holders of shares of such preference stock shall be shareholders within the meaning of *The Companies Act*, and shall, subject to the provisions of this section, possess in all respects the rights and be subject to the liabilities of shareholders within the meaning of *The Companies Act*, provided, however, that in respect of dividends, distribution of profits, return of capital or distribution of assets either on liquidation, winding up or otherwise they shall, as against ordinary shareholders, be entitled to no greater preferences, priorities or rights than are given by the by-law creating such preference stock.

Borrowing powers. 22. The Company may borrow money and receive money on deposit upon such terms as to interest, security, time of payment and otherwise as may be agreed on, and may issue its bonds, debentures and other securities for moneys borrowed; provided that the total of the Company's liability to the public outstanding from time to time shall not exceed four times the amount paid up upon its capital stock; but the amount of cash on hand, or deposited in chartered banks, belonging to the Company, shall be deducted from such total liability for the purpose of this section; provided also that the amount held on deposit shall not at any time exceed the aggregate amount of its then actually paid-up and unimpaired capital, and of its cash actually on hand or deposited in any chartered bank in Canada, or elsewhere, and belonging to the Company.

Loans to shareholders. 23. The loans or advances by the Company to its shareholders upon the security of their stock shall be deducted from the amount of the paid-up capital upon which the Company is authorized to borrow.

Liabilities to other companies. 24. The liabilities of any company assumed by the Company shall form part of the total liabilities of the Company to the public for the purposes of section 22 of this Act.

25. The directors of the Company may, with the consent of the shareholders at a special general meeting duly called for the purpose, create and issue debenture stock in sterling or currency, in such amounts and manner, on such terms as to redemption or payment thereof, and otherwise, and bearing such rate of interest as the directors think proper, but such debenture stock shall be treated and considered as part of the ordinary debenture debt of the Company, and shall be included in estimating the Company's liabilities to the public under section 22 of this Act, and such debenture stock shall rank equally with the ordinary debenture and deposit debt of the Company, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by depositors or holders of ordinary debentures of the Company of concurrent issue.

Issue of
debenture
stock.

Included in
liabilities of
company.

Ranking.

26. The debenture stock aforesaid shall be entered by the Company in a register to be kept for that purpose in the head office of the Company in Canada wherein shall be set forth the names and addresses of those from time to time entitled thereto, with the respective amounts of the said stock to which they are respectively entitled, and the register shall be accessible for inspection and perusal at all reasonable times to every debenture holder, mortgagee, bondholder, debenture-stockholder and shareholder of the Company without the payment of any fee or charge. Such debenture stock shall be transferable in such amounts and in such manner as the directors may determine.

Register to
be kept.

Contents.

To whom
accessible.

Debenture
stock
transferable.

27. The holders of the ordinary debentures of the Company may, with the consent of the directors, at any time exchange such debentures for debenture stock.

Exchange of
debentures
for debenture
stock.

28. The directors, having issued debenture stock, may, as they think fit and for the interest of the Company, but only with the consent of the holders thereof, buy up and cancel such debenture stock or any portion thereof.

Purchase and
cancellation
of
debenture
stock.

29. The directors may set aside out of the profits of the Company such sum as they think proper as a reserve fund to meet contingencies or for equalizing dividends, or for repairing, improving and maintaining any of the property of the Company, and for such other purposes as the directors shall, in their discretion, think conducive to the interests of the Company, and may invest the several sums so set aside upon such investments, other than shares of the Company, as they may think fit, and may from time to

Reserve
fund.

time deal with and vary such investments and dispose of all or any part thereof for the benefit of the Company, and may divide the reserve fund into such special funds as they think fit, with full power to employ the assets constituting the reserve fund in the business of the Company, and without being bound to keep the same separate from the other assets: Provided always that the investment of the reserve fund shall be subject to the limitations contained in section 7 of this Act.

Proviso:

Debenture stock may be issued in lieu of existing debenture stock.

30. In case any company whose assets are acquired by the Company has issued debenture stock, and such debenture stock is outstanding at the date of the acquisition aforesaid, the directors of the Company may, if and when they think fit, and either with or without the sanction of the shareholders, issue debenture stock to the extent of the nominal value of the debenture stock of such other company outstanding as aforesaid, and may with the consent of any holder of debenture stock in such other company give to him, in lieu of the debenture stock held by him, debenture stock of the Company on such terms as may be agreed upon.

Business outside of Canada.

31. The Company may, in general or special meeting of its shareholders duly called for the purpose, at which meeting shareholders representing at least two-thirds of the subscribed capital stock are present or represented by proxy, pass a by-law authorizing its directors to extend the business of the Company outside of Canada.

Agencies.

32. Transfers of debenture stock may be left with such agent or agents in the United Kingdom of Great Britain and Ireland, or elsewhere, as the Company appoints for that purpose, for transmission to the Company's head office for registration.

Company not bound to see to execution of trusts.

33. The Company shall not be bound to see to the execution of any trust, whether expressed, implied or constructive to which any share of its stock or debenture, or debenture stock, or any deposit or any money payable by or in the hands of the Company, may be subject, and the receipt of the party or parties in whose name such share, debenture, debenture stock, deposit or moneys, stand in the books of the Company shall from time to time be sufficient discharge to the Company for any payment made in respect of such share, debenture, debenture stock, deposit or money, notwithstanding any trust to which the same may then be subject, and whether or not the Company has had notice of such trust, and the Company

shall not be bound to see to the application of the money paid upon such receipt.

34. If the interest of any person in any share in the capital stock or debenture stock, or in any bond, debenture or obligation of the Company, which bond, debenture or obligation is not payable to bearer, is transmitted in consequence of the death or bankruptcy or insolvency of such holder, or by any other lawful means other than a transfer upon the books of the Company, the directors shall not be bound to allow any transfer pursuant to such transmission to be entered upon the books of the Company or to recognize such transmission in any manner until a declaration in writing, showing the nature of such transmission, and signed and executed by the person claiming by virtue of such transmission, and also executed by the former shareholder, if living, and having power to execute the same, shall have been filed with the manager or secretary of the Company and approved by the board of directors, and if the declaration purporting to be signed and executed shall also purport to be made or acknowledged in the presence of or before a notary public, or of a judge of a court of record, or of a mayor of any city, town or borough, or other place, or a British consul, or vice consul, or other accredited representative of the British Government of any foreign country, the directors may, in the absence of direct actual notice of a contrary claim, give full credit to the declaration and, unless the directors are not satisfied with the responsibility of the transferee, shall allow the name of the party claiming by virtue of the transmission to be entered in the books of the Company.

Trans-
mission of
interest in
shares
otherwise
than by
transfer.

35. If the transmission takes place by virtue of any testamentary act or instrument or in consequence of any intestacy, the probate of the will or letters of administration or document testamentary, or other judicial or official instrument under which the title, whether beneficial or as trustee, or the administration or control of the personal estate of the deceased is claimed to vest, purporting to be granted by any court or authority in Canada, or in Great Britain or Ireland, or any other of His Majesty's dominions, or in any foreign country, or an authenticated copy thereof or official extract therefrom shall, together with the declaration mentioned in section 34 of this Act, be produced and deposited with the manager, secretary, treasurer or other officer named by the directors for the purpose of receiving the same, and such production and deposit shall be sufficient justification and authority to the directors for paying the

Require-
ments in
case of
trans-
mission by
will or intes-
tacy.

amount or value of any dividend, coupon, bond, debenture or obligation or share, or any other moneys payable by or in the hands of the Company, or transferring or consenting to the transfer of any bond, debenture or obligation or share, or any other moneys payable by or in the hands of the Company, in pursuance of, and in conformity to, such probate, letters of administration or other such document as aforesaid.

Directors
may apply
to court in
case of doubt.

36. Whenever the directors entertain reasonable doubts as to the legality of any claim to or upon such shares, bonds, debentures, obligations, dividends or coupons, or the proceeds thereof, or any deposit or any other moneys payable by or in the hands of the Company, then and in such case it shall be lawful for the directors to file, in any court of competent jurisdiction in the province in which the head office of the Company is situated, a petition stating such doubts and praying for an order or judgment adjudicating and awarding the said shares, bonds, debentures, obligations, dividends, coupons, or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company to the parties legally entitled thereto, and such court shall have authority to restrain any action, suit or proceeding against the Company, the directors and officers thereof, for the same subject matter, pending the determination of the petition; and the Company and the directors and officers thereof shall be fully protected and indemnified by obedience to such order or judgment against all actions, suits, claims and demands in respect of the matters which shall have been in question in such petition, and the proceedings thereupon: Provided always, that if the court adjudges that such doubts were reasonable, the costs, charges and expenses of the Company in and about such petition and proceedings shall form a lien upon such shares, bonds, debentures, obligations, dividends, coupons or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company, and shall be paid to the Company before the directors shall be obliged to transfer or assent to the transfer of, or to pay such shares, bonds, debentures, obligations, dividends, coupons or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company to the parties found entitled thereto.

Proviso.

Costs if
doubts
reasonable.

Term for
which land
may be
held.

37. Subject to the provisions of section 9 of this Act, no parcel of land or interest therein at any time acquired by the Company and not required for its actual use and occupation or not held by way of security, shall be held by the Company or by any trustee on its behalf for a

longer period than ten years after the acquisition thereof; but such land or interest therein shall be absolutely sold and disposed of so that the Company shall no longer retain any interest therein unless by way of security; and any such parcel of land or any interest therein not within the exceptions hereinbefore mentioned which has been held by the Company for a longer period than ten years without being disposed of, shall be forfeited to the Crown: Provided that the Governor in Council may extend the said period from time to time not exceeding in the whole twelve years: Provided further that no such forfeiture shall take effect or be enforced until the expiration of at least six months after notice in writing to the Company of the intention of the Crown to claim such forfeiture; and the Company shall, when required, give to the Minister of Finance a full and correct statement of all lands at the date of such statement held by the Company or in trust for the Company, and subject to these provisions.

Forfeitures.

Extension of term.

Notice of enforcing forfeiture.

Statement of lands subject to.

38. The Company shall, on or before the first day of March in each year, transmit to the Minister of Finance a statement in duplicate to and including the thirty-first day of December of the previous year, verified by the oaths of the president or vice-president and the manager, setting out the capital stock of the Company and the proportion thereof paid up, the assets and liabilities of the Company, the amount and nature of the investments made by the Company, both on its own behalf and on behalf of others, and the average rate of interest derived therefrom, distinguishing the classes of securities and also the extent and value of the lands held by it, and such other details as to the nature and extent of the business of the Company as the Minister of Finance requires, and in such form and with such details as he from time to time requires and prescribes, but the Company shall in no case be bound to disclose in such statement the name or private affairs of any person who has dealings with it.

Annual statement to Minister of Finance.

39. Sections 125, 134, 141, 158, 167 and 168 of *The R. S., c. 79. Companies Act* shall not apply to the Company.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 152.

An Act to incorporate the Middlesex Trust Company.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. George G. McCormick, Thomas Baker, William Incorporation.
E. Robinson, Robert G. Fisher and Thomas W. Scandrett,
all of the city of London, in the province of Ontario, together
with such other persons as become shareholders in the com-
pany, are hereby incorporated under the name of "The Corporate
Middlesex Trust Company," hereinafter called "the name.
Company."

2. The persons named in section 1 of this Act shall be Provisional
the provisional directors of the Company, a majority of directors.
whom shall be a quorum for the transaction of business;
and they may forthwith open stock books, procure sub-
scriptions of stock for the undertaking, make calls upon
stock subscribed and receive payments thereon, and shall
deposit in a chartered bank in Canada all moneys received
by them on account of the stock so subscribed for or other-
wise received by them on account of the Company and
may withdraw the same for the purposes of the Company
only, and may fix the number of directors to be elected at
the first meeting of the Company, which number may by
by-law be changed for subsequent elections, and may do
generally what is necessary to organize the Company.

Capital stock. **3.** The capital stock of the Company shall be one million dollars, divided into ten thousand shares of one hundred dollars each.

Head office. **4.** The head office of the Company shall be at the city of London, in the province of Ontario, and the directors may establish branch offices and local advisory boards at such other places in Canada or elsewhere as they determine.

Branch offices. Commence-
ment of
business. **5.** The Company shall not commence business until at least two hundred and fifty thousand dollars of stock have been *bona fide* subscribed and one hundred thousand dollars paid thereon in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act.

Directors. **6.** The affairs of the Company shall be managed by a board of not less than seven nor more than twenty-one directors, a majority of whom shall be a quorum. At least five and at no time less than two-thirds of such directors shall be residents of the province of Ontario.

Qualifica-
tions. **2.** No shareholder shall be eligible for election as a director unless he holds in his own right at least twenty shares upon which all calls due have been paid; and if a director makes an assignment for the benefit of creditors or comes within the operation of any insolvent law then in force, or ceases to hold twenty shares in his own right, he shall *ipso facto* cease to be a director and his place may be filled for the remainder of the term by the directors from among the qualified shareholders of the Company.

Resolution
signed by all
directors. **3.** The Company may by by-law provide that a resolution in writing signed by all the directors shall be as valid as if it had been passed at a meeting of the directors.

Calls on
stock. **7.** Calls on stock may be made by the directors at such times and in such proportions as they deem proper, but no call shall exceed ten per cent and no call shall be made at a less interval than four months from the last preceding call: Provided, however, that any shareholder may, with the consent of the directors, pay up at any time the amount unpaid upon his shares.

Business.
Trust money. **8.** The Company may—
(a) receive money in trust for the purposes herein specified, and invest and accumulate it at such lawful rates of interest as can be obtained therefor;

(b)

(b) accept and execute all such trusts of every description Trustee. and nature as are entrusted to it by any government or person, or committed or transferred to it by any order, judgment or decree of any court in Canada or elsewhere; execute the offices of executor, administrator, trustee, accountant, arbitrator, adjuster, auditor, receiver, assignee, liquidator, sequestrator, official guardian, guardian, curator or committee of a lunatic, and perform the duties of such offices or trusts as fully and completely as any person so appointed could do; receive and manage any sinking fund on such terms as may be agreed upon; and in all cases where application is made to any court, judge, officer or person having authority to make an appointment to any such office or trust, the Company, with its consent, may be appointed to hold such office or trust, with the substitution, if necessary, for any obligations required from a private person appointed to such office or trust of such usual obligations as are applicable to corporations, and with such remuneration as may be fixed; take, hold and accept by grant, assignment, transfer, deed, will, devise, bequest, or otherwise, any real or personal estate upon any lawful trusts, and perform and execute them according to the terms and for the purposes declared, established or agreed upon; accept from, and execute trusts for, married women in respect of their separate property, real or personal, and act as agent for them in the management of such separate property; guarantee repayment of the principal or payment of the interest, or both of any moneys entrusted to the Company for investment, on such terms and conditions as are agreed upon; act as agent for countersigning, registering, or otherwise ascertaining and certifying to the genuineness of any issue of stock, bonds, debentures or other securities for money of any government, municipal or other corporate body duly authorized to make the said issue, and may hold the said securities as agent or trustee; and act generally as fiscal or other agent for any such government or corporate body.

(c) act as agent or attorney for winding-up estates, Agent. receiving or collecting any principal, interest, rents, coupons, mortgages, debts, debentures or other securities or evidences of debt or demands of any nature, and in the sale or purchase of any real or personal property, and generally act in all matters in the nature of a trust or general agency;

(d) be the custodian, on such terms as are agreed upon, of Custodian. jewellery, plate and other movable property of any kind, and of deeds, wills, policies of insurance, bonds, debentures, securities for money or other valuable papers and documents and guarantee the safe keeping of the same; and lease and hire for such compensation and remuneration,

and upon such terms and conditions as may be agreed upon, its vaults, safes and receptacles;

Management of estates.

(e) act as investing and managing agent of estates and properties for and on behalf of executors, administrators and trustees or other persons;

Remuneration.

(f) receive and collect such remuneration for its services as is agreed upon, or as is fixed or allowed by law, and all usual and customary charges, costs and expenses;

Investment of trust moneys.

(g) receive moneys in trust for investment and allow interest thereon for a reasonable time until invested, and advance moneys to protect any estate, trust or property entrusted to it as aforesaid, and charge lawful interest upon any such advances: Provided that nothing herein shall be held either to restrict or to extend the powers of the Company as trustee or agent under the terms of any trust or agency that may be conferred upon it;

Securities for debts.

(h) take securities of such nature as are deemed expedient for any moneys owing to the Company;

Rights, privileges and concessions from governments.

(i) obtain from any government any rights, privileges and concessions which the Company thinks it desirable to obtain, and carry out, exercise and comply with any such rights, privileges and concessions, not inconsistent with the provisions of this Act or of any other Act of the Parliament of Canada;

Real estate which may be held.

(j) hold such real estate as is necessary for the transaction of its business, not exceeding the value of one million dollars, and any further real estate of whatever value which, being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and sell, mortgage, lease, or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition, unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Investment of trust moneys.

9. The Company shall invest trust moneys as follows, and may manage, sell or dispose of such investments as the terms of the trust require:—

Mortgages of real estate.

(a) upon first mortgages of or hypothecs upon improved freehold property of ample value in Canada, the British Empire or the United States, and may accept personal property or covenants by way of collateral security thereto: Provided however that investments in any country other than Canada shall be limited to moneys received from such country;

(b)

(b) in the stock, funds or government securities of Canada or of any province of Canada, or of the United States, or guaranteed thereby respectively, or in bonds, or debentures of any municipal corporation in any such province, other than municipal corporations having a population less than two thousand or an annual rate of assessment exceeding two cents on the dollar exclusive of school tax, or in the bonds and debentures of any school district in any such province, or in the public stock, funds or government securities of the United Kingdom or of any of the colonies or dependencies thereof;

(c) in such securities as are authorized by the terms of the trust;

(d) trust funds belonging to any estate or trust which is being administered in any province, may be invested in securities in which trustees are authorized, by the laws of such province, to invest trust moneys.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form, or are part of, any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed unless the will, deed, order or instrument creating the trust, provides otherwise.

10. The moneys and securities of any such trust shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company, so that at no time shall trust moneys form part of or be mixed with the general assets of the Company, and the Company shall, in the receipt of rent and in the overseeing and management of trusts and other property, keep distinct records and accounts of all operations connected therewith: Provided that in the management of the money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust money, in the manner provided by section 9 of this Act, in a general trust fund of the Company: Provided always that the total amount of money of any one trust invested in the said general trust fund shall not at any time exceed three thousand dollars.

11.

Investment
of moneys of
Company.

11. The Company may invest any money forming part of its own capital or reserve or accumulated profit thereon in any of the securities mentioned in section 9 of this Act, or on the security of real estate in Canada, or any interest in such real estate, or on the security of the debentures, bonds, stock and other securities of any chartered bank or company incorporated by or under the authority of the Parliament of Canada, or of the Legislature of any province, to the extent of not more than twenty per cent of the paid-up capital stock of any such bank or company, as the directors deem expedient.

Accounts to
be rendered
by Company
when made
trustee by
court.

12. In case of the appointment of the Company to any trust or office by any court in Canada, or any judge, officer or person having lawful authority in that behalf, such court, judge, officer or person may from time to time require the Company to render an account of its administration of the particular trust or office to which it has been appointed, and may from time to time appoint a suitable person to investigate the management of such particular trust by the Company, and as to the security afforded to those by or for whom its engagements are held, and such person shall report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge or other officer thereof.

Power to sell
undertaking.

13. The Company shall have power to sell and dispose of the undertaking of the Company and its rights and properties for such consideration as the Company may think fit: Provided that no such sale or disposal shall be made until it is approved by a meeting of shareholders duly called for that purpose, at which meeting two-thirds in value of the issued shares are represented by shareholders in person or by proxy; and provided further that no such sale or disposal shall take effect until it has been submitted to and approved of by the Treasury Board.

Proviso.

Acquisition
of business
of other com-
panies.

14. The Company may acquire the whole or any part of the business, rights and property of any other companies within the legislative power of the Parliament of Canada, or of any of the provinces thereof, carrying on any business which the Company is authorized to carry on, conditional upon the assumption by the Company of such duties, obligations and liabilities of every such company, with respect to the business, rights and property so acquired, as are not performed or discharged by such company: Provided that no such agreement shall take effect until it has been submitted to and approved by the Treasury Board.

15. Nothing in this Act shall be construed to authorize the Company to issue any note payable to bearer or any promissory note intended to be circulated as money or as the note of a bank, or to engage in the business of banking or of insurance. Note issue prohibited.
Banking and insurance prohibited.

16. The Company shall prepare, and annually transmit to the Minister of Finance a statement in duplicate, verified by the oath of the president or vice-president, and of the manager or secretary, setting forth the capital stock of the Company, the portion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and such statement shall be made up to the thirty-first day of December in each year. Annual statement to Minister of Finance.

2. If the Company for the space of one month neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default, shall incur the like penalty. Penalty for neglect.

17. Part II. of *The Companies Act*, except sections 125, 141, 164, 165 and 167 thereof, shall apply to the Company. Application of R.S., c. 79.

18. The powers granted by this Act shall expire, and this Act shall cease to be in force, for all purposes except for the winding up of the Company, at the end of two years from the passing thereof, unless the Company goes into actual operation within such two years. Forfeiture of charter by non-user.



3-4 GEORGE V.

CHAP. 153.

An Act for the relief of William Monds.

[Assented to 2nd April, 1913.]

WHEREAS William Monds, of the city of Toronto, Preamble.
in the province of Ontario, civil engineer, has by his petition alleged, in effect, that on the tenth day of October, A.D. 1900, at the said city of Toronto, he was lawfully married to Lizzie Alma Dellabough; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto, in the month of April, A.D. 1910, she committed adultery with a man whose name is unknown; that at the city of New York, in the state of New York, one of the United States of America, on divers occasions between the twenty-ninth day of January, A.D. 1912, and the eighteenth day of February, A.D. 1912, she also committed adultery with men whose names are unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between William Monds and Lizzie Alma Dellabough, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said William Monds may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Lizzie Alma Dellabough had not been solemnized.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 154.

An Act respecting the Montreal, Ottawa and Georgian Bay Canal Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:—

Preamble.
1894, c. 103;
1898, c. 109;
1900, c. 106;
1906, c. 128;
1908, c. 130;
1910, c. 130;
1912, c. 123.

1. Section 2 of chapter 128 of the statutes of 1906 is repealed.

Repeal.

2. Section 22 of chapter 103 of the statutes of 1894 is repealed and in lieu thereof it is enacted that the Montreal, Ottawa and Georgian Bay Canal Company may issue and pledge or dispose of bonds, debentures or other securities as provided in *The Railway Act* to the extent of one hundred and seventy-five million dollars.

Bond issue.
1894, c. 103
amended.
Issue of
bonds.

3. The Montreal, Ottawa and Georgian Bay Canal Company, hereinafter called "the Company," may commence the construction of its canals, or any of them, and expend fifty thousand dollars thereon, on or before the first day of May, one thousand nine hundred and sixteen, and may complete the said canals and put them in operation before the first day of May, one thousand nine hundred and twenty-two, and subject to the provisions of this Act may, in connection with such construction and operation exercise the powers granted to the Company by chapter 103 of the statutes of 1894 and amendments thereto; and if such construction is not commenced and such expenditure is not so made or if the said canals are not completed

Time for
construction
of canals
extended.

and put in operation within the said periods respectively, the powers granted to the Company by Parliament shall cease and be null and void as respects so much of the said canals and works as then remains uncompleted.

1912, c. 123,
s. 1 repealed.

4. Section 1 of chapter 123 of the statutes of 1912 is repealed.

When
consent of
provincial
governments
required.

5. Nothing in this Act, or in any other Act governing or affecting the Company, shall be construed to authorize or empower the Company to enter, or take, or use the public lands of the province of Ontario or Quebec without the consent of the Lieutenants Governor in Council of the respective provinces, except to the extent necessary for the purpose of constructing the canal and necessary works incidental thereto, and for the purpose of developing power necessary for the operation of the canal.

Certain
rights
saved.

6. Nothing in this Act shall affect or impair the rights of the Government of Canada under or by virtue of the provisions of the section substituted by section 5 of chapter 128 of the statutes of 1906 for section 43 of chapter 103 of the statutes of 1894.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 155.

An Act for the relief of Nathan Louis Nathanson.

[Assented to 2nd April, 1913.]

WHEREAS Nathan Louis Nathanson, of the city of Preamble.
Toronto, in the province of Ontario, has by his
petition alleged, in effect, that on the eighth day of September, A.D. 1909, at the said city of Toronto, he was lawfully married to Violet Ruby Kuppenheimer; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that during the months of July and August, A.D. 1912, she was an inmate of a house of ill-fame at Martinez, in the state of California, one of the United States of America; that at the city of Toronto, in the province of Ontario, on or about the seventeenth or eighteenth days of October, A.D. 1912, she committed adultery with a person whose name is unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Nathan Louis Nathanson and Violet Ruby Kuppenheimer, his wife, is hereby dissolved and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said Nathan Louis Nathanson may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Violet Ruby Kuppenheimer had not been solemnized.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 156.

An Act respecting patents of Frederick Jacob Newman
and others.

[Assented to 16th May, 1913.]

WHEREAS Frederick Jacob Newman of the city of Preamble.

Chicago, in the state of Illinois, one of the United States, Joseph Ledwinka of the city of Philadelphia, in the state of Pennsylvania, one of the United States, and Charles Berg of the city of New York, in the state of New York, one of the United States, have by their petition represented that they are the owners of certain patents issued under the seal of the Patent Office, namely, number sixty-six thousand five hundred and fifty-two for improvements in electrically propelled vehicles, and number seventy-eight thousand one hundred and seventy-four for improvements in electric vehicle hub motors, and that the said patents have ceased by reason of the non-payment of further fees for one or more terms of the said patents as provided by section 23 of *The Patent Act*; and whereas the said petitioners have prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the Commissioner of Patents may receive from the holders of the said patents an application for certificates of payment of further fees, and the usual fees for one or more terms of the said patents, and may grant and issue to such holders certificates of payment of further fees provided for by *The Patent Act* and extensions of the terms or duration of the said patents

Power to
Commission-
er of
Patents to
receive
fees and
extend
duration
of patents.

R. S., c. 69.

in as full and ample a manner as if the applications therefor had been duly made within the first six years from the dates of the said patents.

Certain
rights
saved.

2. If any person has, within the period between the expiry of six years from the dates of the said patents respectively, and the ninth day of November, nineteen hundred and twelve, commenced to construct, manufacture, use or sell in Canada the inventions covered by the said patents, such person may continue to construct, manufacture, use or sell the said inventions in as full and ample a manner as if this Act had not been passed.

Duration of
patents
further
extended.

3. The orders of the Deputy Commissioner of Patents, making such patents subject to conditions (a), (b), (c) and (d) of section 44 of *The Patent Act* are hereby rescinded and repealed, and the period within which the patentees or their legal representatives shall commence the construction or manufacture of the inventions patented as provided by section 38 (a) of *The Patent Act* is hereby extended to six months from the passing of this Act.

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3-4 GEORGE V.

CHAP. 157.

An Act respecting New Orleans and Grand Isle Traction, Light and Power Company, Limited, and to change its name to "New Orleans and Grand Isle Railway, Light and Power Company, Limited."

[Assented to 2nd April, 1913.]

WHEREAS New Orleans and Grand Isle Traction, Light and Power Company, Limited, has by its petition represented that it is incorporated under *The Companies Act*, chapter 79 of the Revised Statutes, 1906, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
R.S., c. 79.
Canada Gazette, March 2, 1912.

1. The name of the said company, hereinafter called "the Company," is changed to "New Orleans and Grand Isle Railway, Light and Power Company, Limited," but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Name changed.
Existing rights not affected.

2. Subject to the laws in force in the United States and with such legislative, governmental, municipal or other authority, concession, license or consent as is necessary, the Company may, within the United States, survey, lay

Company authorized to acquire powers in the United States.

Railways. lay out, construct, complete, equip, maintain and operate and extend, remove and change as required, double or single iron or steel railways and branches, side tracks, turn-outs and appurtenances and tramways for the passage of cars, carriages and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased or otherwise acquired by the Company; also telegraph and telephone lines and works in connection therewith; and allow the use of the said railways and other works by lease, license or otherwise for reward; and take, transmit and carry, for reward, telegrams, messages, passengers and freight, including mails, express and other freight upon or by means thereof, by steam, pneumatic, electric or other power, or by a combination of them or any of them; and also may there acquire, by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and operate, for reward, any existing or future lines of railway, tramway, telegraph or telephone; and, for all or any of the purposes aforesaid, the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Tramways.

Telegraphs.

Telephones.

Carriers.

Acquisition of properties of other companies.

Issue of share warrants.

3. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of share warrants.

4. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender and cancellation entitle to entry as shareholder.

5. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled: Provided, however, that such cancellation and entry of name as a shareholder shall be made within sixty days.

Liability of Company for entry without cancellation.

Proviso.

To what extent bearer to be deemed shareholder.

6. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company

within the meaning of *The Companies Act*, either to the full extent, or for such purposes as is prescribed by the directors:

Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

R.S., c. 79.
Warrant will not qualify bearer as director.

7. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share or shares as if he had ceased to be a shareholder, and shall enter in the register the following particulars:—

Particulars to be entered in register.

(a) the fact of the issue of the warrant;

(b) a statement of the share or shares, included in the warrant;

(c) the date of the issue of the warrant;

and, until the warrant is surrendered, the above particulars shall be deemed to be the particulars which are required by sections 89 and 90 of *The Companies Act* to be entered in the books of the Company in respect of such share or shares, and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

Date of surrender to be entered.
R.S., c. 79,
ss. 89, 90.

8. The directors may determine and vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant or coupon may be issued in the place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings, and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company, for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force, whether made before or after the issue of such warrant.

Directors may vary conditions of issue.



3-4 GEORGE V.

CHAP. 158.

An Act to incorporate the New Westminster Harbour Commissioners.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

SHORT TITLE.

1. This Act may be cited as *The New Westminster* Short title.
Harbour Commissioners Act.

INCORPORATION.

2. The Commissioners appointed in accordance with Corporation
this Act are incorporated under the name of "The New constituted.
Westminster Harbour Commissioners," hereinafter called
"the Corporation."

INTERPRETATION.

3. In this Act, unless the context otherwise requires,— Definitions.
(a) "commissioner" means a member of the Corporation; "Commissioner."
(b) "by-law" means any by-law, rule, order or regulation "By-law."
made by the Corporation under the authority of this Act;
(c) "vessel" includes every kind of ship, boat, barge, "Vessel."
dredge, elevator, scow or floating craft propelled by steam or
otherwise;
(d) "goods" means any movables other than vessels; Goods.

Rates. (e) "rates" means any rate, toll, or duty whatsoever imposed by this Act.

Harbour
limits
defined.

4. For the purposes of this Act the Harbour of New Westminster shall be deemed to extend from a line drawn north and south, astronomically, to each shore of the Fraser River, from a point on the line of average high water mark, on the eastern end of Manson or Douglas Island, known as Point Sebastien and situate in the Fraser river at the mouth of the Pitt river; thence down stream, extending on both sides to the line of average high water mark, to lines drawn across the outlets of the Fraser river into the Gulf of Georgia from point to point at low water mark on each of the points of land forming the said outlets; but not extending further northerly than a point equidistant between the most southerly and the most northerly points of the western shore of Lulu island; and shall also include the adjacent waters of the Gulf of Georgia, upon and over the Sand Heads as far seaward as are from time to time defined by the Governor in Council; but shall not include any portion of the North Arm of the Fraser river west of a line drawn across the said North Arm in continuation southerly of the westerly boundary of the city of New Westminster; and shall also be deemed to include all water front property, water lots, piers, docks, shores and beaches in or along the waters forming as aforesaid the said harbour.

Land marks.

5. The Corporation may erect land marks to indicate the said limits of the harbour of New Westminster, which land marks shall be held to determine, *prima facie*, the said limits.

COMMISSIONERS.

Commissioners.

6. The Corporation shall consist of three commissioners one of whom shall be appointed by the council of the city of New Westminster, and two by the Governor in Council.

Appointment
by city, how
made.

2. The commissioner to be appointed by the city of New Westminster shall be nominated in the council, and an affirmative vote of at least two-thirds of the members of the council present and voting shall be necessary for his election.

Term of
office.

3. The commissioner so appointed shall hold office for three years, subject to removal, and until his successor is appointed, and shall be eligible for re-appointment.

City council-
ors ineligible.

4. No member of the council shall be eligible to be a commissioner.

When no
appointment
made by city.

5. In default of appointment of a commissioner by the city of New Westminster within thirty days of the publica-

tion in *The Canada Gazette* of the names of the commissioners appointed by the Governor in Council, the Governor in Council may appoint the third commissioner also; and any person so appointed shall hold office in all respects as the person in whose place he was appointed would have held it.

7. A commissioner appointed by the Governor in Council may resign his office by notifying, in writing, the Governor in Council of such resignation, and a commissioner appointed by the council of the city of New Westminster by notifying in writing the said council of such resignation. Resignations.

8. Whenever a vacancy occurs in the office of the commissioner appointed by the council of the city of New Westminster, whether such vacancy occurs by expiration of the term of office, or otherwise, the secretary of the Corporation shall notify the city clerk in writing of the occurrence of such vacancy, and the council shall, within thirty days, appoint his successor, and, in default of such appointment being made within the said period, the Governor in Council may appoint a person to fill such vacancy, and the person so appointed shall hold office in all respects as the commissioner in whose place he is appointed would have held it. Filling of vacancies.

9. Before any commissioner enters upon the execution of his duties as commissioner, he shall take and subscribe an oath that he will truly and impartially to the best of his skill and understanding execute the powers vested in him as a member of the Corporation, which oath shall be filed of record in the office of the Corporation. Oath of office.

10. The Corporation shall elect its own chairman, and two commissioners shall be a quorum for the transaction of all business within the jurisdiction of the Corporation. Chairman and quorum.

OFFICERS AND EMPLOYEES.

11. The Corporation may appoint a harbour-master and such other officers, assistants, engineers, clerks and servants as it deems necessary to carry out the objects and provisions of this Act, and may allow them such compensation or salaries as it deems fitting, and require and take from them such security for the due and faithful performance of their respective duties as it deems necessary. Officers, etc.
Salaries.
Security.

GENERAL POWERS.

12. The Corporation shall, for the purpose of and as provided in this Act, have jurisdiction within the limits of Territorial limits of jurisdiction.

of the harbour of New Westminster, but nothing herein shall be deemed to give the Corporation jurisdiction or control respecting private property or rights within the said limits, or the right to enter upon or deal with any property of the Crown except when, by order in council, authorized so to do.

Private rights not affected.

Suits and actions.

13. The Corporation may institute and defend all suits, actions and proceedings in any court of justice in respect of the property of the Corporation and the lands comprised within the harbour, including all property which the Corporation may hold, take, develop or administer under the provisions of this Act.

Power to hold and administer certain property for city.

14. The Corporation may hold, take, develop, and administer on behalf of the city of New Westminster, subject to such terms and conditions as may, at the time the control thereof is transferred to the Corporation, be agreed upon with the council of the said city, the dock property and water lots owned by the city of New Westminster in the harbour as defined by this Act, and all other property which may be placed under the jurisdiction of the Corporation.

Property required for harbour.

2. The Corporation may acquire, expropriate, hold, sell, lease or otherwise dispose of such real estate, building or other property as it deems necessary or desirable for the development, improvement, maintenance, and protection of the harbour as in this Act defined, or for the management, development and control of such property, or for any of the other purposes of this Act, and re-invest the proceeds arising therefrom in its discretion.

Alienation of land restricted.

3. Notwithstanding anything in this Act, the Corporation shall not, without the previous consent of the Governor in Council, sell, alienate, mortgage, or otherwise dispose of any land acquired by it from the Government of Canada.

Use and development of water front.

15. Subject to the limitations in section 12 of this Act, the Corporation may regulate and control the use and development of all land and property on the water front within the limits of the harbour of New Westminster, and all docks, wharfs, buildings and equipment erected or used in connection therewith, and for these purposes may pass by-laws as hereinafter provided.

Docks, buildings and appliances.

2. The Corporation may construct and maintain docks, channels, warehouses, cranes or other buildings, equipment and appliances, for use in the carrying on of harbour or transportation business, and may sell, lease or operate the same.

3. The Corporation may, subject to such provisions of *The Railway Act* as are applicable to the exercise of the powers granted by this subsection,—

Construction and operation of railways.

- (a) construct, acquire by purchase, lease or otherwise, maintain and operate railways within the boundaries of the port and harbour of New Westminster as defined by this Act, and upon lands owned by or within the jurisdiction of the Corporation;
- (b) enter into agreements with any railway company for the maintenance, by such company, of such railways and the operation thereof by any motive power, and so as at all times to afford all other railway companies whose lines reach the harbour the same facilities for traffic as those enjoyed by such company;
- (c) make arrangements with railway companies and navigation companies for facilitating traffic to, from and in the harbour, or for making connection between such companies' lines or vessels and those of the Corporation;

but nothing in this subsection shall be deemed to constitute the Corporation a railway company.

4. The Corporation may own and operate, by any motive power, all kinds of appliances, plant and machinery for the purpose of increasing the usefulness of the harbour or facilitating the traffic therein.

Plant and machinery.

5. Any work undertaken by the Corporation affecting the use of any navigable waters shall be subject to the provisions of *The Navigable Waters Protection Act*.

R.S., c. 115 to apply to works.

16. After providing for the cost of management of all the property which the Corporation owns, controls, or manages under the preceding sections, and after providing for the cost of works or improvements authorized by the Corporation and for the performance of the other duties imposed upon the Corporation, and for capital charges and interest upon money borrowed by the Corporation for improvements, and for all other liabilities of the Corporation, and for a sinking fund to pay off any indebtedness incurred by the Corporation, any surplus profits shall be the property of the city of New Westminster, and shall be paid over by the Corporation to the city treasurer.

Profits of operation, if any, to belong to city.

17. All books, documents and papers having reference to the management and development of any property under the control of the Corporation shall at all times be open for inspection by the audit department of the city of New Westminster; and the Corporation shall report annually all its proceedings in connection therewith to the council of the said city.

Books, etc., to be open to inspection by city.

Annual report.

EXPROPRIATION OF LANDS.

18. Whenever the Corporation desires to acquire any lands for any of the purposes of this Act, should the Corporation be unable to agree with the owner of the lands which it is authorized to purchase, as to the price to be paid therefor, then the Corporation may acquire such lands without the consent of the owner, and the provisions of *The Railway Act* relating to taking land by railway companies shall, *mutatis mutandis*, be applicable to the acquisition of such lands by the Corporation, but no proceedings for the expropriation of lands shall be commenced until the consent of the Governor in Council is first obtained.

BORROWING POWERS.

19. For the purpose of defraying the expenses of constructing, extending and improving the wharfs, structures and other accommodations in the harbour of New Westminster in such manner as the Corporation deems best calculated to facilitate trade and increase the convenience and utility of the said harbour, and subject to the approval of the Governor in Council first obtained, the Corporation may borrow money in Canada and elsewhere, and at such rates of interest as it finds expedient, and may for the said purpose issue debentures for sums not less than one hundred dollars or twenty pounds sterling, payable in not more than forty years, which debentures may be secured upon the real property vested in or controlled by the Corporation, subject to the provisions of sections 12 and 14 of this Act, and the payment of such debentures may be guaranteed by the Dominion of Canada or the province of British Columbia if so authorized by order in council.

2. The principal and interest of the sums of money which may be borrowed under this section shall be a charge on the revenue arising from the rental and income out of the management of all property under the jurisdiction of the Corporation and from the rates and penalties imposed by or under this Act for, or on account of, the said harbour; and other lawful charges upon the said revenue shall be as follows:—

- (a) The payment of all expenses incurred in the collection of the same, and other necessary charges;
- (b) The defraying of the expenses of keeping the harbour clean and of keeping the wharfs and other works therein in a thorough state of repair;
- (c) The payment of interest due on all sums of money borrowed under this Act;

- (d) Providing a sinking fund for paying off the principal Sinking fund.
of all sums borrowed under this Act;
- (e) The cost of keeping the harbour dredged, operating Operating,
docks and wharfs, and otherwise carrying out the etc.
objects of this Act.

BY-LAWS.

20. The Corporation may make by-laws, not contrary By-laws.
to law or to the provisions of this Act, for the following
purposes:—

- (a) To regulate and control navigation and all works Navigation.
and operations within the harbour, and to appoint
constables and other officials to enforce the same, or
to enforce the provisions of any statutes or marine
regulations relating to the harbour;
- (b) To regulate, control or prohibit any building oper- Building
ations within or upon the harbour, excavations, re- operations
moval or deposit of material, or any other action and other
which would affect in any way the docks, wharfs or actions.
channels of the harbour and water front or the bed affecting
of the harbour or the lands adjacent thereto; harbour.
- (c) To construct, regulate, operate and maintain rail- Construction,
ways, elevators, pipes, conduits and other works or etc., of works
appliances upon the docks, wharfs or channels or on docks, etc.
any part thereof; and to control and regulate or
prohibit the erection of towers or poles, or the string- Poles, wires,
ing of wires or use of any machinery which might machinery,
affect property or business owned, controlled or etc.
operated by the Corporation;
- (d) To prevent injuries to or encroachments upon any Encroach-
of the channels, harbours, wharfs or waters generally ments.
within the limits of the harbour;
- (e) To regulate and control the landing and shipping Explosives.
of explosives or inflammable substance;
- (f) To maintain order and regularity and prevent Order, pre-
theft and depredations; vent of
theft.
- (g) For the imposition and collection of all rates, tolls Rates, tolls
and penalties imposed by law or under any by-law and penalties.
- (h) For regulating and controlling the operation and Control of
use of all canoes, sailing boats, row boats, motor boats, etc.
boats and other kind of craft within the limits of
the area over which the Corporation has jurisdiction;
- (i) To impose penalties upon persons infringing any of Penalties for
the provisions of this Act or the by-laws of the infringing Act
Corporation; such penalties not to exceed fifty dol- or by-law.
lars or thirty days' imprisonment, and in default of

- payment of such pecuniary penalty and the costs of conviction, the period of imprisonment to be fixed by by-law not to exceed sixty days, nor to continue after such payment is made;
- Government of harbour. (j) For the government of all parties using the harbour and of all vessels coming into or using the same, and by such by-laws to impose tolls to be paid upon such vessels and upon goods landed from or shipped on board of the same, as they think fit, according to the use which may be made of such harbour and works aforesaid;
- Tolls. (k) For the doing of everything necessary for the effectual execution of the duties and powers vested in the Corporation.
- Execution of duties and powers. 2. No by-law shall have force or effect until confirmed by the Governor in Council and published in *The Canada Gazette*, and every such by-law shall, at least ten days before it is submitted to the Governor in Council, be served upon the city clerk of New Westminster.
- Confirmation of by-laws. 3. A copy of any by-law certified by the secretary under the seal of the Corporation shall be admitted as full and sufficient evidence of such by-law in all courts of Canada.
- Copies, when evidence.

HARBOUR RATES.

- Valuation of goods. R.S., c. 48 to apply. 21. The valuation of goods on which *ad valorem* rates are imposed shall be made according to the provisions of *The Customs Act*, as far as applicable; and the said provisions shall, for the purpose of such valuation, be held to form part of this Act as if actually embodied herein.
- Recovery of rates. 22. The rates upon the cargoes of all vessels shall be paid by the master or person in charge of the vessel, saving to him such recourse as he may have by law against any other person for the recovery of the sums so paid; but the Corporation may demand and recover the said rates from the owners or consignees or agents or shippers of such cargoes if it sees fit to do so.
- Commutation of rates. 23. The Corporation may commute any rates authorized by this Act to be levied, on such terms and conditions and for such sums of money as the Corporation deems expedient.

SUMMARY PROCEEDINGS.

- Seizure of vessels. 24. The Corporation may, in the following cases, seize and detain any vessel at any place within the limits of the province of British Columbia:—

- (a) Whenever any sum is due in respect of a vessel for rates or for commutation of rates, and is unpaid;
- (b) Whenever the master, owner or person in charge of the vessel, has infringed any provision of this Act, or any by-law in force under this Act, and has thereby rendered himself liable to a penalty.

25. The Corporation may seize and detain any goods in the following cases:— Seizure of goods.

- (a) Whenever any sum is due for rates in respect of such goods and is unpaid;
- (b) Whenever any provision of this Act, or any by-law in force under this Act, has been infringed in respect of such goods, and a penalty has been incurred thereby.

26. Every lawful seizure and detention made under this Act shall be at the risk, cost and charges of the owner of the vessel or goods seized, until all sums due, and penalties incurred, together with all proper and reasonable costs and charges incurred in the seizure and detention, and the costs of any conviction obtained for the infringement of any provision of this Act, or of any by-law in force under this Act, have been paid in full. Seizure and detention to be at owner's risk. Duration.

2. The seizure and detention may take place either at the commencement of any suit, action or proceeding for the recovery of any sums of money due, penalties or damages, or pending such suit, action or proceeding, or as incident thereto, or without the institution of any action or proceeding whatsoever. May be made with or without suits

3. The seizure and detention may be effected upon the order of:— Or for seizure.

- (a) any judge;
- (b) any magistrate having the power of two justices of the peace;
- (c) the collector of customs at the port of New Westminster.

4. The said order may be made on the application of the Corporation, or its authorized agent, or its solicitor, and may be executed by any constable, bailiff, or other person whom the Corporation entrusts with the execution thereof; and the said constable, bailiff or other person may take all necessary means and demand all necessary aid to enable him to execute the said order. Application for order. Execution of order. Aid

RESTRICTION.

27. The Corporation shall not have any transactions of any pecuniary nature, either in buying or selling, with any members thereof, directly or indirectly. Pecuniary transactions forbidden.

OATHS.

Administra-
tion of oaths.

28. Whenever any person is required by or in pursuance of this Act to take any oath, any commissioner, the secretary of the Corporation, the harbour master of New Westminster, or any justice of the peace, may administer such oath.

ACCOUNTING FOR MONEYS.

Accounts.

Annual
re. ort.

29. The Corporation shall keep separate accounts of all moneys borrowed, received and expended by it under the authority of this Act; and shall account therefor annually to the Governor in Council in such manner and form as he may direct.

LIMITATION OF SUMMARY PROCEEDINGS.

Limitations
of actions.

30. In case of any violation of this Act, or of any by-law in force under this Act, no complaint or information shall be made or laid after two years from the time that the matter of complaint or information arose.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 159.

An Act respecting the Niagara, St. Catharines and Toronto Railway Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1899, c. 77;
1901, c. 76;
1902, c. 83;
1905, c. 132;
1906, c. 132;
1908, c. 134.

1. This Act may be cited as *The Niagara, St. Catharines and Toronto Railway Act, 1913.* Short title.

2. The Niagara, St. Catharines and Toronto Railway Company, hereinafter called "the Company," may construct: Lines of railway authorized.

(a) The lines of railway authorized by paragraphs (b), (c) and (d) of section 1 of chapter 132 of the statutes of 1906, shortly described as follows:—

(i) Port Colborne to Fort Erie, and Fort Erie to the city of Niagara Falls;

(ii) From the city of Niagara Falls to the town of Niagara, and from the town of Niagara to the city of St. Catharines;

(iii) From the town of Welland to the city of Brantford;

(b) The line of railway authorized by section 8 of chapter 77 of the statutes of 1899, shortly described as follows:—

(i) An extension of the line of the St. Catharines and Niagara Central Railway Company to a point on the Niagara river at or near Fort

Erie, and an extension to the city of Toronto passing at or near the city of Hamilton.

Time for
construction
limited.

2. If the said lines are not commenced within two years and are not completed and put in operation within five years after the passing of this Act the powers granted for the construction thereof shall cease and determine with respect to such parts of the said lines as then remain uncompleted.

1908, c. 134,
s. 1 repealed.

3. Section 1 of chapter 134 of the statutes of 1908 is repealed.

1899, c. 77
amended.

4. Paragraphs (c) and (d) of section 10 of chapter 77 of the statutes of 1899 are repealed.

Trans-
mission
and delivery
of power
and elec-
tricity.

5. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Consent of
municipali-
ties for
telegraph
and tele-
phone lines
upon high-
ways, etc.

6. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.



3-4 GEORGE V.

CHAP. 160.

An Act respecting the Nipissing Central Railway Company.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1907, c. 112;
1908, c. 135.

1. The Nipissing Central Railway Company may, within five years from the passing of this Act, complete and put in operation the lines of railway and the branch which the said company is, by section 7 of chapter 112 of the statutes of 1907, authorized to construct and operate; and if the said lines and branch are not, within the said period, completed and put in operation, the powers for the construction thereof conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said lines and branch as then remains uncompleted.

Extension
of time for
completion.

1907, c. 112,
s. 7;
1908, c. 135,
s. 3.

2. Section 3 of chapter 135 of the statutes of 1908 is hereby repealed.

Repeal.

3. In so far as the said Company has the right to acquire electric or other power or energy which may be transmitted and delivered to any place in the municipalities through which the railway has been constructed, and to receive, transform, transmit, distribute and supply such electric power or energy in any form and to dispose of the surplus thereof and to collect rates and charges therefor, the said

Transmission
of electric
and other
power.

Rates and
charges.

Company may, subject to the provisions of section 247 of *The Railway Act*, continue to acquire such electric power or energy, but not by expropriation; but no such rate or charge shall be demanded or taken for such electric power or energy until the same has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Telegraph
and telephone
lines upon
highways.
etc.

4. Nothing in this Act or in *The Telegraphs Act* shall authorize the said Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the said Company's works and not required for the undertaking of the said Company, upon, along or across any highway or public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Consent of
municipal-
ities.

5. The said Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 161.

An Act respecting the North Empire Fire Insurance Company.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1908, c. 136.

1. Subsection 1 of section 3 of chapter 136 of the statutes of 1908 is repealed and the following is substituted therefor:—

s. 3
amended.

“3. The capital stock of the Company shall be two million dollars, divided into shares of one hundred dollars each.”

Capital
stock
increased.

2. The North Empire Fire Insurance Company, hereinafter called “the Company,” may purchase the business of any other fire insurance company, or sell and dispose of the business of the Company to any other such company, upon such terms and conditions as may be agreed upon, and as shall not impair the recourse or remedy of any creditor of either company; but before the completion of any such purchase or sale, the consent of shareholders owning two-thirds in value of the subscribed stock of the Company, present or represented by proxy at any general meeting, or at a special meeting of the shareholders duly called for the purpose, shall be obtained; provided that no agreement for such purchase or sale shall become operative

Acquire-
ment of
business
of other
companies.

Consent of
shareholders
required

Chap. **161.** *North Empire Fire Insurance Co.* 3-4 GEO. V.

ative and effective until it has been submitted to and approved of by the Treasury Board.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 162.

An Act to incorporate the North Fraser Harbour Commissioners.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

SHORT TITLE.

1. This Act may be cited as *The North Fraser Harbour Commissioners Act*. Short title.

INCORPORATION.

2. The Commissioners appointed in accordance with this Act are incorporated under the name of "The North Fraser Harbour Commissioners," hereinafter called "the Corporation." Corporation constituted.

INTERPRETATION.

- 3.** In this Act, unless the context otherwise requires,— Definitions.
- (a) "commissioner" means a member of the corporation; Commissioner.
 - (b) "by-law" means any by-law, rule, order or regulation made by the Corporation under the authority of this Act; By-law.
 - (c) "vessel" includes every kind of ship, boat, barge, elevator, scow or floating craft, propelled by steam or otherwise; Vessel.

Goods
Rates.

- (d) "goods" means any movables other than vessels;
(e) "rates" means any rate, toll, or duty whatsoever imposed by this Act.

Harbour
limits
defined

4. For the purposes of this Act, the North Fraser Harbour shall be deemed to extend from a line drawn across the North Arm of the Fraser river, in continuation southerly of the westerly boundary of the city of New Westminster; thence down stream of the North Arm of the Fraser river, extending on both sides to the line of average high water mark, to lines drawn across the outlets of the North Arm of the Fraser river into the Gulf of Georgia, from point to point at low water mark on each of the points of land forming the said outlets; but not extending further southerly than a point equidistant between the most southerly and most northerly points of the western shore of Lulu island, nor extending further northerly than the point known as Point Grey; and shall also include the adjacent waters of the Gulf of Georgia, upon and over the bank known as Sturgeon Bank, as far seaward as are, from time to time, defined by the Governor in Council; and shall also be deemed to include all water front property, water lots, piers, docks, shores and beaches in or along the waters forming as aforesaid the said harbour.

Land marks

5. The Corporation may erect land marks to indicate the said limits of the North Fraser Harbour, which land marks shall be held to determine, *prima facie*, the said limits.

COMMISSIONERS.

Commission-
ers.

6. The Corporation shall consist of three commissioners two of whom shall be appointed by the Governor in Council, and one, in writing, by at least a majority of four persons, elected, one by each of the municipalities of Richmond, South Vancouver, Burnaby and Point Grey, for that purpose.

Term of
office.

2. The commissioner so appointed by the said municipalities shall hold office for three years, subject to removal and until his successor is appointed, and shall be eligible for re-appointment.

Councillors
ineligible.

3. No member of any of the said councils shall be eligible to be a commissioner.

Appointment
in default.

4. In default of appointment of a commissioner by the said municipalities within thirty days of the publication in *The Canada Gazette* of the names of the commissioners appointed by the Governor in Council, the Governor in Council may appoint the third commissioner also; and any

person so appointed shall hold office in all respects as the person in whose place he was appointed would have held it.

7. A commissioner appointed by the Governor in Council may resign his office by notifying, in writing, the Governor in Council of such resignation, and the commissioner appointed by the said municipalities by notifying in writing each of the councils of the said municipalities. Resignations.

8. Whenever a vacancy occurs in the office of the commissioner appointed by the municipalities, whether such vacancy occurs by expiration of the term of office, or otherwise, the secretary of the Commission shall notify in writing the clerks of the said municipalities of the occurrence of such vacancy and his successor shall, within thirty days, be appointed in the manner aforesaid, and in default of such appointment being made within the said period, the Governor in Council may appoint a person to fill such vacancy, and the person so appointed shall hold office in all respects as the commissioner in whose place he is appointed would have held it. Filling of vacancies.

9. Before any commissioner enters upon the execution of his duties as commissioner, he shall take and subscribe an oath that he will truly and impartially to the best of his skill and understanding execute the powers vested in him as a member of the Corporation, which oath shall be filed of record in the office of the Corporation. Oath of office.

10. The Corporation shall elect its own chairman, and two commissioners shall be a quorum for the transaction of all business within the jurisdiction of the Corporation. Chairman and quorum.

OFFICERS AND EMPLOYEES.

11. The Corporation may appoint a harbour-master and such other officers, assistants, engineers, clerks and servants as it deems necessary to carry out the objects and provisions of this Act, and may allow them such compensation or salaries as it deems fitting, and require and take from them such security for the due and faithful performance of their respective duties as it deems necessary. Officers, etc.
Salaries.
Security.

GENERAL POWERS.

12. The Corporation shall, for the purposes of and as provided in this Act, have jurisdiction within the limits of the North Fraser Harbour, but nothing herein shall be deemed Territorial limits of jurisdiction.

Private
rights not
affected.

deemed to give the Corporation jurisdiction or control respecting private property or rights within the said limits; or the right to enter upon or deal with any property of the Crown except when, by order in council, authorized so to do.

Suits and
actions.

13. The Corporation may institute and defend all suits, actions and proceedings in any court of justice in respect of the property of the Corporation and the lands comprised within the harbour, including all property which the Corporation may hold, take, develop or administer under the provisions of this Act.

Power to
hold and
administer
certain
property for
municipali-
ties.

14. The Corporation may hold, take, develop, and administer on behalf of any of the several municipalities of Richmond, South Vancouver, Burnaby and Point Grey, subject to such terms and conditions as may, at the time the control thereof is transferred to the Corporation, be agreed upon with the council of such municipality, the dock property and water lots owned by any such municipality in the harbour as defined by this Act and all other property which may be placed under the jurisdiction of the Corporation.

Property
required for
harbour.

2. The Corporation may take by gift, acquire, expropriate, hold, sell, lease and otherwise dispose of such real estate, building or other property as it deems necessary or desirable for the development, improvement, maintenance and protection of the harbour as in this Act defined, or for the management, development and control of such property, or for any of the other purposes of this Act, and re-invest the proceeds arising therefrom in its discretion.

Alienation
of land
restricted.

3. Notwithstanding anything in this Act, the Corporation shall not, without the previous consent of the Governor in Council, sell, alienate, mortgage or otherwise dispose of any land acquired by it from the Government of Canada.

Use and
development
of water
front.

15. Subject to the limitations in section 12 of this Act, the Corporation may regulate and control the use and development of all land and property on the water front within the limits of the North Fraser Harbour, and all docks, wharfs, buildings and equipment erected or used in connection therewith, and for these purposes may pass by-laws as hereinafter provided.

Docks,
buildings
and appli-
ances.

2. The Corporation may construct and maintain docks, channels, warehouses, cranes or other buildings, equipment and appliances, for use in the carrying on of harbour or transportation business, and may sell, lease or operate the same.

3. The Corporation may, subject to such provisions of *The Railway Act* as are applicable to the exercise of the powers granted by this subsection,—

Construction and operation of railways.

(a) construct, acquire by purchase, lease or otherwise, maintain and operate railways within the boundaries of the North Fraser Harbour as defined by this Act, and upon lands owned by or within the jurisdiction of the Corporation;

(b) enter into agreements with any railway company for the maintenance, by such company, of such railways and the operation thereof by any motive power, and so as at all times to afford all other railway companies whose lines reach the harbour the same facilities for traffic as those enjoyed by such company;

(c) make arrangements with railway companies and navigation companies for facilitating traffic to, from and in the harbour, or for making connection between such companies' lines or vessels and those of the Corporation;

(d) but nothing in this subsection shall be deemed to constitute the Corporation a railway company.

4. The Corporation may own and operate, by any motive power, all kinds of appliances, plant and machinery for the purpose of increasing the usefulness of the harbour or facilitating the traffic therein.

Plant and machinery.

5. Any work undertaken by the Corporation affecting the use of any navigable waters shall be subject to the provisions of *The Navigable Waters' Protection Act*.

R.S., c. 115 to apply.

16. After providing for the cost of management of all the property which the Corporation owns, controls, or manages under the preceding sections, and after providing for the cost of works or improvements authorized by the Corporation and for the performance of the other duties imposed upon the Corporation, and for capital charges and interest upon money borrowed by the Corporation for improvements, and for all other liabilities of the Corporation, and for a sinking fund to pay off any indebtedness incurred by the Corporation, any surplus profits shall be the property of the municipalities of Richmond, South Vancouver, Burnaby and Point Grey, equally between them, and shall be paid over by the Corporation to the treasurers of these municipalities.

Profits of operation, if any, to belong to municipalities.

17. All books, documents and papers having reference to the management and development of any property under the control of the Corporation shall at all times be open for inspection by the auditors of the municipalities of Richmond, South Vancouver, Burnaby and Point Grey; and

Books, etc., to be open to inspection by municipalities.

the Corporation shall report annually all its proceedings in connection therewith to the councils of the said municipalities.

EXPROPRIATION OF LANDS.

Expropriation
of lands.

R.S., c 37
to apply.

18. Whenever the Corporation desires to acquire any lands for the purposes of this Act, should the Corporation be unable to agree with the owner of the lands which it is authorized to purchase, as to the price to be paid therefor, then the Corporation may acquire such lands without the consent of the owner, and the provisions of *The Railway Act* relating to taking land by railway companies shall, *mutatis mutandis*, be applicable to the acquisition of such lands by the Corporation, but no proceedings for the expropriation of land shall be commenced until the consent of the Governor in Council is first obtained.

BORROWING POWERS.

Borrowing
powers.

Debentures.
Term.
Security.
Guarantee

Charge upon
revenue.

Other
charges on
revenue.

Collection.

Repairs.

19. For the purpose of defraying the expenses of constructing, extending and improving the wharfs, structures and other accommodations in the North Fraser Harbour in such manner as the Corporation deems best calculated to facilitate trade and increase the convenience and utility of the said harbour, and subject to the approval of the Governor in Council first obtained, the Corporation may borrow money in Canada or elsewhere, and at such rates of interest as it finds expedient, and may for the said purposes issue debentures for sums not less than one hundred dollars or twenty pounds sterling, payable in not more than forty years, which debentures may be secured on the real property vested in or controlled by the Corporation, subject to the provisions of sections 12 and 14 of this Act.

2. The principal and interest of the sums of money which may be borrowed under this section shall be a charge on the revenue arising from the rental and income out of the management of all property under the jurisdiction of the Corporation and from the rates and penalties imposed by or under this Act for, or on account of, the said harbour; and other lawful charges upon the said revenue shall be as follows:—

- (a) The payment of all expenses incurred in the collection of the same, and other necessary charges;
- (b) The defraying the expenses of keeping the harbour clean and of keeping the wharfs and other works therein in a thorough state of repair;

- (c) The payment of interest due on all sums of money borrowed under this Act; Interest.
- (d) Providing a sinking fund for paying off the principal of all sums borrowed under this Act; Sinking fund.
- (e) The cost of keeping the harbour dredged, operating docks and wharfs, and otherwise carrying out the objects of this Act. Operating, etc.

BY-LAWS.

20. The Corporation may make by-laws, not contrary to law or to the provisions of this Act, for the following purposes:— By-laws.

- (a) To regulate and control navigation and all works and operations within the harbour, and to appoint constables and other officials to enforce the same, or to enforce the provisions of any statutes or marine regulations relating to the harbour; Navigation.
- (b) To regulate, control or prohibit any building operations within or upon the harbour, excavations removal or deposit of material, or any other action which would affect in any way the docks, wharfs, or channels of the harbour and water front or the bed of the harbour or the lands adjacent thereto; Building operations and other actions, affecting harbour.
- (c) To construct, regulate, operate and maintain railways, elevators, pipes, conduits, or other works or appliances upon the docks, wharfs or channels or any part thereof; and to control and regulate or prohibit the erection of towers or poles, or the stringing of wires or use of any machinery which might affect property or business owned, controlled or operated by the Corporation; Construction, etc., of works on docks, etc
- (d) To prevent injuries to or encroachments upon any of the channels, harbours, wharfs or waters generally within the limits of the harbour; Encroachments.
- (e) To regulate and control the landing and shipping of explosives or inflammable substance; Explosives.
- (f) To maintain order and regularity and prevent theft and depredations; Order, prevention of theft.
- (g) For the imposition and collection of all rates, tolls and penalties imposed by law or under any by-law under the authority of this Act; Rates, tolls and penalties.
- (h) For regulating and controlling the operation and use of all canoes, sailing boats, row boats, motor boats and other kind of craft within the limits of the area over which the Corporation has jurisdiction; Control of boats, etc.
- (i) To impose penalties upon persons infringing any of the provisions of this Act or the by-laws of the Corporation; Penalties for infringing Act or by-law.

Corporation; such penalties not to exceed fifty dollars or thirty days' imprisonment, and in default of such pecuniary penalty and the costs of conviction, the period of imprisonment to be fixed by by-law not to exceed sixty days, nor to continue after such payment is made;

Government
of harbour.

(j) For the government of all parties using the harbour and of all vessels coming into or using the same, and by such by-laws to impose tolls to be paid upon such vessels and upon goods landed from or shipped on board of the same as they think fit, according to the use which may be made of such harbour and works aforesaid;

Tolls.

Execution of
duties and
powers.

(k) For the doing of everything necessary for the effectual execution of the duties and powers vested in the Corporation.

Confirmation
of by-laws.

2. No by-law shall have force or effect until confirmed by the Governor in Council and published in *The Canada Gazette*, and every such by-law shall, at least ten days before it is submitted to the Governor in Council, be served upon the clerks of the municipalities of Richmond, South Vancouver, Burnaby and Point Grey.

Copies, when
evidence.

3. A copy of any by-law certified by the secretary under the seal of the Corporation shall be admitted as full and sufficient evidence of such by-law in all courts in Canada.

HARBOUR RATES.

Valuation
of goods.

21. The valuation of goods on which *ad valorem* rates are imposed shall be made according to the provisions of *The Customs Act*, as far as applicable; and the said provisions shall, for the purposes of such valuation, be held to form part of this Act as if actually embodied herein.

R.S., c. 48
to apply.

Recovery of
rates.

22. The rates upon the cargoes of all vessels shall be paid by the master or person in charge of the vessel, saving to him such recourse as he may have by law against any other person for the recovery of the sums so paid; but the Corporation may demand and recover the said rates from the owners or consignees or agents or shippers of such cargoes if it sees fit to do so.

Commuta-
tion of
rates.

23. The Corporation may commute any rates authorized by this Act to be levied, on such terms and conditions and for such sums of money as the Corporation deems expedient.

SUMMARY PROCEEDINGS.

Seizure of
vessels.

24. The Corporation may, in the following cases,
352 seize

seize and detain any vessel at any place within the limits of the province of British Columbia:—

- (a) Whenever any sum is due in respect of a vessel for rates or for commutation of rates, and is unpaid;
- (b) Whenever the master, owner or person in charge of the vessel, has infringed any provision of this Act, or any by-law in force under this Act, and has thereby rendered himself liable to a penalty.

25. The Corporation may seize and detain any goods in the following cases:— Seizure of goods.

- (a) Whenever any sum is due for rates in respect of such goods, and is unpaid;
- (b) Whenever any provision of this Act, or any by-law in force under this Act, has been infringed in respect of such goods, and a penalty has been incurred thereby.

26. Every lawful seizure and detention made under this Act shall be at the risk, cost and charges of the owner of the vessel or goods seized, until all the sums due, and penalties incurred, together with all proper and reasonable costs and charges incurred in the seizure and detention, and the costs of any conviction obtained by the infringement of any provision of this Act, or by any by-law in force under this Act, have been paid in full. Seizure and detention to be at owner's risk.

2. The seizure and detention may take place either at the commencement of any suit, action or proceeding for the recovery of any sums of money due, penalties or damages, or pending such suit, action or proceeding, or as incident thereto, or without the institution of any action or proceeding whatsoever. Duration.

3. The seizure and detention may be effected upon the order of— May be made with or without suits.

- (a) any judge;
- (b) any magistrate having the power of two justices of the peace.

4. The said order may be made on the application of the Corporation, or its authorized agent, or its solicitor, and may be executed by any constable, bailiff or other person whom the Corporation entrusts with the execution thereof; and the said constable, bailiff or other person, may take all necessary means and demand all necessary aid to enable him to execute the said order. Order for seizure.

Application for order.

Execution of order.

Aid

RESTRICTION.

27. The Corporation shall not have any transactions of any pecuniary nature, either in buying or selling, with any members thereof, directly or indirectly. Pecuniary transactions forbidden.

OATHS.

Administra-
tion of
oaths.

28. Whenever any person is required by or in pursuance of this Act to take any oath, any commissioner, the secretary of the Corporation, the harbour master of North Fraser Harbour, or any justice of the peace, may administer such oath.

ACCOUNTING FOR MONEYS.

Accounts.

Annual
reports, to
Governor in
Council.

29. The Corporation shall keep separate accounts of all moneys borrowed, received and expended by it under the authority of this Act, and shall account therefor annually to the Governor in Council in such manner and form as he may direct.

LIMITATION OF SUMMARY PROCEEDINGS.

Limitation of
actions.

30. In the case of any violation of this Act, or of any by-law in force under this Act, no complaint or information shall be made or laid after two years from the time that the matter of complaint or information arose.

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3-4 GEORGE V.

CHAP. 163.

An Act to incorporate the North West Guarantee and Accident Insurance Company.

[Assented to 2nd April, 1913.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Russell Hartney, barrister-at-law, Gordon Fraser Cameron, insurance manager, Harold Evans Hartney, student-at-law, Robert William McKay, solicitor's clerk, and Walter Riddell Chrystal, solicitor's clerk, all of the city of Saskatoon, in the province of Saskatchewan, together with such persons as become shareholders in the company, are incorporated under the name of "The North West Guarantee and Accident Insurance Company," hereinafter called Incorporation.
Corporate name.
"the Company."

2. The persons named in section 1 of this Act shall be Provisional directors.
the provisional directors of the Company.

3. The capital stock of the Company shall be one million Capital stock.
Increase.
dollars, which may be increased to two million dollars.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be two hundred and fifty thousand dollars. Amount to be subscribed before election of directors.

5. The Company shall not commence business until three Commencement of business.
hundred and fifty thousand dollars of the capital stock have
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been subscribed and one hundred and fifty thousand dollars paid thereon.

Head office. **6.** The head office of the Company shall be in the city of Saskatoon, in the province of Saskatchewan.

Business which may be carried on. **7.** The Company may make contracts of insurance of any of the following classes, as defined by *The Insurance Act, 1910*,—

- (a) accident insurance;
- (b) sickness insurance;
- (c) steam boiler insurance;
- (d) guarantee insurance;
- (e) plate glass insurance.

1910, c. 32
to apply.

8. *The Insurance Act, 1910*, shall apply to the Company.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 164.

An Act to incorporate the Northwest Life Assurance Company.

[Assented to 7th March, 1913.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter
set forth, and it is expedient to grant the prayer of the said
petition: Therefore His Majesty, by and with the advice
and consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. Robert Hamilton Fulton, banker; Henry Y. Smith, Incorpor-
agent; Joseph Edward Caldwell, barrister; Wilbert Emer-ation.
son Burke, merchant; Joseph Ashfield Caulder, merchant,
all of the city of Moose Jaw, in the province of Saskatche-
wan, together with such persons as become shareholders
in the company are incorporated under the name of "The Corporate
Northwest Life Assurance Company," hereinafter called name.
"the Company."

2. The persons named in section 1 of this Act shall be Provisional
the provisional directors of the Company. directors.

3. The capital stock of the Company shall be one mil- Capital
lion dollars. stock.

4. The amount to be subscribed before the general Amount to
meeting for the election of directors is called shall be two be subscribed
hundred and fifty thousand dollars. before
election of
directors.

5. The Company shall not commence business until Commence-
two hundred and fifty thousand dollars of the capital stock ment of
have business.

have been subscribed and one hundred thousand dollars paid thereon.

Head
office.

6. The head office of the Company shall be in the city of Moose Jaw, in the province of Saskatchewan.

Business
which may
be carried
on.

7. The Company may make contracts of life insurance with any person, and may grant, sell or purchase life annuities and endowments depending upon the contingency of human life, and generally carry on the business of life insurance in all its branches and forms.

1910, c. 32,
to apply.

8. *The Insurance Act, 1910*, shall apply to the Company.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 165.

An Act respecting the Ontario-Michigan Railway Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient 1911, c. 122.
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. The Ontario-Michigan Railway Company may com-
mence the construction of its railway, and expend fifteen Time for
construction
of railway
extended.
per cent of the amount of its capital stock thereon within
two years after the passing of this Act, and may complete
its railway and put it in operation within five years after
the passing of this Act; and if the said railway is not so
commenced and such expenditure is not so made, or if the
said railway is not so completed, and put in operation
within the said periods, respectively, the powers of con-
struction conferred upon the said company by Parliament
shall cease and be null and void as respects so much of the
said railway as then remains uncompleted.

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to the King's most Excellent Majesty.



3 - 4 GEORGE V.

CHAP. 166.

An Act respecting the City of Ottawa.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The City of Ottawa Water Act, 1913.* Short title.

2. The corporation of the city of Ottawa, hereinafter called "the Corporation," may, with the consent and subject to the approval of the government of the province of Quebec, take a supply of water from any lake or lakes in the county of Ottawa, in the province of Quebec, except Big White Fish Lake, a tributary of the Lièvre River, for its municipal purposes and the use of the inhabitants of the said city, and may from such supply provide water to the corporation of the city of Hull for the municipal purposes of the said corporation and for the use of the inhabitants of the said city, and to any other municipal corporation in the province of Ontario or in the province of Quebec, for the municipal purposes of any such municipal corporation, and the use of the inhabitants of such corporation, and may convey water for the said purposes from any such lakes to the said city of Ottawa, the said city of Hull and such other municipal corporations. Power of Corporation to take water from lakes in province of Quebec. May supply Hull and other corporations.

3. The Corporation may construct, maintain and operate all such works as are necessary or advantageous for the Construction of works.
purposes

purposes of this Act: Provided that, without affecting the right to compensation under section 7 of this Act of any person whose lands are taken compulsorily or injuriously affected, the construction of any work in or through the city of Hull, or upon or along any highway or public place in the said city, shall be subject to the terms of an agreement to be entered into with the corporation of the said city, to be settled, in the event of failure to agree, by the Public Utilities Commission of the province of Quebec.

Agreement
with city of
Hull.

Entry
upon lands.

4. The Corporation may, with the consent and subject to the approval of the Government of the province of Quebec, enter upon and take any of the ungranted lands of the Crown in the said county of Ottawa, and may acquire by gift, purchase, lease or expropriation such other land, lakes and water, and such water-powers, rights, easements and servitudes as are necessary for the purposes of this Act, and may hold and use the same.

Agreements
with other
corporations.

5. The Corporation may enter into agreements with the corporation of the city of Hull and with the corporation of any other municipality in the province of Ontario or in the province of Quebec with respect to a supply of water from the said works.

Provincial
legislative
control
continued.

6. Except as otherwise expressly provided in this Act, the Corporation shall, with respect to the construction, management, maintenance and operation of the water works of the city of Ottawa, and of any other works in the province of Ontario, and in respect to the payment of compensation for lands taken or injuriously affected, be subject to the legislative control of the legislature of the province of Ontario.

Compensa-
tion.

7. The exercise of any power conferred by this Act shall be subject to the payment of compensation to every person as respects any property, right, interest, timber license or other license, easement or servitude injuriously affected thereby.

Return of
lands or
rights as part
of compensa-
tion.

8. The Corporation may, for the purpose of effecting a reduction in the compensation to be paid for any land taken or injuriously affected in the exercise of any power conferred by this Act, abandon or grant to the owner or person interested therein any portion of such land or any easement, servitude or interest therein, or may make any structure, work or alteration on or in connection with its works, and such abandonment or grant or the making of

such structure, work or alteration shall be taken into account in the assessment of the compensation.

9. Except as varied by this Act, and subject to such variation, the provisions of the "Revised Statutes of the Province of Quebec, 1909," in relation to the compulsory taking of land, the payment of compensation therefor and for the injurious affection of land by railway companies, shall, *mutatis mutandis*, apply to any work undertaken under this Act in the province of Quebec, and shall with respect to such work, be construed as, *mutatis mutandis*, forming part of this Act as fully as if repeated herein.

Expropria-
tion of land.
Application
of R.S.Q.,
1909.

10. The construction, erection and maintenance of the said works, in, upon or over the Ottawa and Gatineau rivers shall be subject to the approval of the Minister of Public Works for Canada.

Control of
Minister of
Public Works.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 167.

An Act respecting the Ottawa Electric Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1894, c. 111;
1905, c. 140.

1. The section substituted by section 1 of chapter 140 of the statutes of 1905 for section 3 of chapter 111 of the statutes of 1894 is repealed and it is hereby enacted that the capital stock of the Ottawa Electric Company shall be three million dollars divided into shares of one hundred dollars each.

Increase of
capital stock.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 168.

An Act respecting the Ottawa Gas Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore 1876, c. 71;
His Majesty, by and with the advice and consent of the 1894, c. 112;
Senate and House of Commons of Canada, enacts as 1897, c. 74.
follows:—

1. The capital stock of the Ottawa Gas Company is Increase of
increased from five hundred thousand dollars to two million capital stock.
dollars.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 169.

An Act respecting Ottawa and Montreal Transmission Company, Limited.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is ex- 1910, c. 142.
pedient to grant the prayer of the said petition: Therefore
His Majesty, by and with the advice and consent of
the Senate and House of Commons of Canada, enacts
as follows:—

1. Ottawa and Montreal Transmission Company, Limited, may, within three years after the passing of this Act, commence the construction of the works which, by section 8 of chapter 142 of the statutes of 1910; it is authorized to construct, and may complete the said works within five years after the passing of this Act; and if, within the said periods respectively, the said works are not commenced or are not completed, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said works as then remains uncompleted. Extension of time for completion of works.

2. Section 19 of chapter 142 of the statutes of 1910 is hereby repealed. Repeal.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 170.

An Act respecting the Ottawa, Northern and Western Railway Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1901, c. 80;
1902, c. 89;
1909, c. 118;
1910, c. 143;
1911, c. 125.

1. The Ottawa, Northern and Western Railway Company, hereinafter called "the Company," may commence the construction of the extension of its main line from Maniwaki to a point at or near James Bay authorized by paragraph (a) of section 11 of chapter 87 of the statutes of 1894, and the extension to Lake Temiscamingue authorized by paragraph (b) of said section, within two years after the passing of this Act, and may complete the said extensions and put them in operation within five years after the passing of this Act; and if within the said periods respectively the said extensions are not so commenced or are not so completed and put in operation the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said extensions as then remains uncompleted.

Time for
construction
of railway
extended.

2. Chapter 125 of the statutes of 1911 is repealed.

1911, c. 125,
repealed.

3. In so far as the Company has the right to acquire electric or other power or energy which may be transmitted and delivered to any place in the municipalities through which the railway or works have been constructed, and to receive,

Electric
power.

Rates and
charges.

receive, transform, transmit, distribute and supply such electric power or energy in any form and to dispose of the surplus thereof and to collect rates and charges therefor, the Company may, subject to the provisions of section 247 of *The Railway Act*, continue to so acquire such electric power or energy, but not by expropriation; but no such rate or charge shall be demanded or taken for such electric power or energy until the same has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Consent of
municipali-
ties for
telegraph
and
telephone
lines upon
highways,
etc.

4. Nothing in section 6 of chapter 80 of the statutes of 1901, or in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

R.S., c. 126.

Consent of
municipali-
ties for
railway on
highways,
etc.

5. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 171.

An Act respecting the Ottawa Terminals Railway Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying Preamble.
that it be enacted as hereinafter set forth, and it is
expedient to grant the prayer of the said petition: There- 1907, c. 117.
fore His Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada, enacts
as follows:—

1. Section 15 of chapter 117 of the statutes of 1907 Issue of securities.
is amended by striking out the words "three million"
in the second line thereof and substituting therefor the
words "six million."

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 172.

An Act to incorporate the Pacific and Eastern Mortgage Company.

[Assented to 16th May, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. John Cumrie Gemmell, James Inglis Simpson, Ewart Incorporation.
William Hards, Samuel Jackson Nasmith, all of the city of Vancouver, in the province of British Columbia, and James Macpherson, of the city of North Vancouver, in the said province, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "The Pacific and Eastern Mortgage Company," herein- Corporate name.
after called "the Company."

2. The persons named in section 1 of this Act shall be Provisional directors.
the provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls on stock subscribed and receive payments thereon, and shall deposit in a chartered bank in Canada all moneys received by them Powers.
on account of stock subscribed or otherwise received by them on account of the Company, and may withdraw the same for the purposes of the Company only, and may fix the number of directors to be elected at the first meeting of the Company, and may do generally what is necessary to organize the Company.

Capital stock. **3.** The capital stock of the Company shall be five million dollars divided into shares of one hundred dollars each.

Issue of shares in currency or sterling. **4.** Such capital stock may be issued either in sterling or currency or both as the directors determine.

Head office. **5.** The head office of the Company shall be at the city of Vancouver, in the province of British Columbia, or at such other place in Canada as the directors may determine by a by-law confirmed at a special general meeting of the Company duly called for that purpose.

Notice of change. **2.** Notice of any change of the head office shall be published in at least one issue of *The Canada Gazette*.

Agencies. **3.** The Company may establish branch offices and agencies in Canada and elsewhere.

First general meeting. **6.** So soon as one hundred thousand dollars of the capital stock have been subscribed and fifty thousand dollars thereof have been paid in cash into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Vancouver, at which meeting the shareholders present or represented by proxy who have paid not less than ten per cent of the amount of shares subscribed for by them shall elect a board of not less than seven or more than fifteen directors, a majority of whom shall be a quorum.

Election of directors. **2.** No person shall be a director unless he holds in his own name and for his own use at least fifty shares of the capital stock of the Company and has paid all calls due thereon and all liabilities incurred by him to the Company.

Qualification of directors. **7.** The number of directors may, within the limits aforesaid, be changed by a vote of the shareholders at any general meeting of the Company.

Number of directors may be changed. **8.** A general meeting of the Company shall be called at its head office, once in each year, after the organization of the Company, and at such meeting a statement of the affairs of the Company shall be submitted.

Annual meeting. **2.** A special general or extraordinary meeting may at any time be called by any five directors or by a requisition of any twenty-five shareholders specifying in the notice thereof the object of such meeting.

Special meetings. **3.** Notice of each meeting of the Company shall be given by printed or written notice to each of the shareholders, mailed by registered post at least fourteen days before the day for which such meeting is called, and addressed to the

Notice of meeting. addresses

addresses of the shareholders respectively as given in the books of the Company.

9. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent and no subsequent instalment shall exceed ten per cent, and not less than thirty days, notice shall be given of any call and any notice of a call may be effectually given by sending the notice by registered letter postpaid to the address of the shareholders as given in the books of the Company.

10. The Company shall not borrow or lend money or otherwise carry on business until it has obtained from the Minister of Finance, a certificate permitting it to do so, and no application for such certificate shall be made and no certificate shall be given until the board of directors has been elected as required by this Act, nor until it has been shown to the satisfaction of the Minister of Finance that at least five hundred thousand dollars of its capital stock have been *bona fide* subscribed and at least one hundred thousand dollars thereof have been paid in cash into the funds of the Company and deposited in some chartered bank in Canada, to be appropriated only for the purposes of the Company under this Act. No such certificate shall be given unless application therefor is made within two years after the passing of this Act, or within such extended period as the Governor in Council, before the expiration of such two years, allows: Provided that should such certificate not be duly made within the time limited, or should such certificate be refused, this Act shall thereupon cease to be in force except for the purpose of winding up the affairs of the Company and returning to the subscribers the amounts paid upon the subscribed stock or so much thereof as they are entitled to.

11. The Company may lend money on the security of, or purchase or invest in:—

- (a) mortgages or hypothecs upon freehold or leasehold real estate, or other immovables;
- (b) the debentures, bonds, fully paid-up stocks and securities of any government or any municipal corporation or school corporation, or of any chartered bank in Canada (to the extent of not more than twenty per cent of the paid-up capital stock of any such bank); provided that the Company shall not lend upon the security of, or purchase or invest in bills of exchange or promissory notes;

Freehold
real estate.

(c) freehold real estate, subject to an agreement for sale, upon which not more than sixty per cent of the purchase price remains to be paid under the said agreement for sale.

Personal
security.

2. The Company may take personal security as collateral for any advance made, or contracted to be made by or for any debt due to the Company.

Exception.

3. The Company shall not invest in, nor lend money upon the security of the stock of any other loan company.

Agency
association.

12. The Company may act as an agency association for the interest and on behalf of others who entrust it with money for that purpose, and may, either in the name of the Company or of such others, lend and advance money to any person or municipal or other authority, or any board or body of trustees or commissioners, upon such securities as are mentioned in section 11 of this Act, and may purchase and acquire any securities on which it is authorized to advance money, and resell the same.

Loans,
advances, etc.

Enforcement
of conditions.

13. The conditions and terms of such loans and advances and of such purchases and resales may be enforced by the Company for its benefit, and for the benefit of the person for whom such money has been lent and advanced, or such purchase and resale made; and the Company shall have the same power in respect of such loans, advances, purchases and sales as are conferred upon it in respect of loans, advances, purchases and sales made from its own capital.

Guarantee of
repayment.

14. The Company may also guarantee the repayment of the principal, or the payment of the interest, or both, of any moneys entrusted to the Company for investment.

Employment
of capital.

15. The Company may, for any of the foregoing purposes, lay out and employ the capital and property, for the time being, of the Company, or any part of the moneys authorized to be raised by the Company in addition to its capital for the time being or any moneys so entrusted to it as aforesaid, and may do, assent to and exercise all acts whatsoever, which, in the opinion of the directors of the Company for the time being, are requisite or expedient to be done in regard thereto.

Moneys
deemed
borrowed.

16. All moneys of which the repayment of the principal or payment of interest is guaranteed by the Company, shall, for the purposes of this Act, be deemed to be money borrowed by the Company.

Liquidation
of other
companies.

17. The Company may liquidate, and carry on for the purposes of such liquidation, the business of any other company

company carrying on any business which the Company is authorized to carry on, upon such terms as may be agreed upon.

18. The Company may borrow money, and receive money on deposit, upon such terms as to interest, security, time of repayment and otherwise as may be agreed on, and may issue bonds, debentures and other securities for moneys borrowed; provided always that the total of the Company's liabilities to the public outstanding from time to time shall not exceed four times the aggregate amount of the then actually paid-up and unimpaired capital stock; provided also that the amount held on deposit shall not at any time exceed the aggregate amount of its then actually paid-up and unimpaired capital, and of its cash actually in hand or deposited in any chartered bank in Canada or elsewhere, and belonging to the Company.

Borrowing
powers.

Limitations.

19. The Company shall not loan or advance money on security of its own stock.

Limitation.

20. The Company may acquire the whole or any part of the business, rights and property of any other company or companies within the legislative power of the Parliament of Canada, or of any of the provinces of Canada, carrying on any business which the Company is authorized to carry on, conditional upon the assumption by the Company of the duties, obligations and liabilities of every such company with respect to the business, rights and property so acquired which are not performed or discharged by such company: Provided that no agreement for such acquisition shall take effect until it has been submitted to and approved by the Treasury Board.

Power to
acquire
business, etc.
of other
companies.

Approval of
Treasury
Board.

21. In case any company, whose assets are acquired by the Company, has issued debenture stock, and such debenture stock is outstanding at the date of the acquisition aforesaid, the directors of the Company may, if and when they think fit, and either with or without the sanction of the shareholders, issue debenture stock to the extent of the nominal value of the debenture stock of such other company outstanding, as aforesaid, and may, with the consent of any holder of debenture stock in such other company, give to him, in lieu of the debenture stock held by him, debenture stock of the Company on such terms as may be agreed upon.

Issue of
debenture
stock in lieu
of debenture
stock of other
companies.

22. The directors may, by by-law, provide for the decrease of the capital stock of the Company to any amount

Decrease
of capital.

not less than five hundred thousand dollars which they consider sufficient.

Contents
of by-law.

2. Such by-law shall declare the number of the shares of the stock so decreased and the allotment thereof, or the rules by which the same is to be made.

Rights of
creditors
preserved.

3. The liability of shareholders to persons who are, at the time the stock is decreased, creditors of the Company shall remain as though the stock had not been decreased.

Requisites
for validity
of by-law.

23. No by-law for decreasing the capital stock of the Company shall have any force or effect unless and until it has been sanctioned by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering such by-law, such shareholders holding not less than two-thirds of the amount paid upon the capital stock of the Company represented at such meeting, and provided that such by-law has afterwards been confirmed by a certificate of the Minister of Finance given under the authority of the Treasury Board.

Certificate of
Minister of
Finance.

Requisites
for such
certificate.

24. Upon the application to the Minister of Finance for a certificate confirming such a by-law, the Company shall satisfy him of the *bona fide* character of the decrease of capital thereby provided for; and, unless it appears that the granting of such certificate would not be in the public interest, the Minister, with the approval of the Treasury Board, may grant the same: Provided that, with the consent of the directors, the amount of such decrease of capital may, by the said certificate, be changed, and the decrease made subject to such conditions as the Treasury Board may think proper.

Proviso.

Debenture
stock.

25. The directors of the Company may, with the consent of the shareholders at a special general meeting duly called for the purpose, create and issue debenture stock in sterling or currency, in such amounts and manner, on such terms and bearing such rate of interest as the directors think proper; but such debenture stock shall be treated and considered as part of the ordinary debenture debt of the Company, and shall be included in estimating the Company's liabilities to the public under section 18 of this Act; and such debenture stock shall rank equally with the ordinary debenture and deposit debt of the Company, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by depositors or holders of ordinary debentures of the Company.

To be
included in
estimates of
liabilities to
public.

Rank.

26. The debenture stock aforesaid shall be entered by the Company in a register to be kept for that purpose in the head office of the Company in Canada, wherein shall be set forth the names and addresses of those from time to time entitled thereto, with the respective amounts of the said stock to which they are respectively entitled; and the register shall be accessible for inspection and perusal at all reasonable times to every debenture holder, mortgagee, bondholder, debenture stock holder and shareholder of the Company, or depositor, without the payment of any fee or charge. Such stock shall be transferable in such amounts and in such manner as the directors may determine.

Register of debenture stock.

Contents.

Transfer.

27. The holders of the ordinary debentures of the Company may, with the consent of the directors, at any time exchange such debentures for debenture stock.

Exchange of debentures.

28. The Company, having issued debenture stock, may from time to time, as it thinks fit and for the interest of the Company, buy up and cancel the debenture stock or any portion thereof.

Cancel of debenture stock.

29. The directors of the Company may make a by-law for creating and issuing any part of the capital stock as preference stock, giving the same such preference and priority as respects dividends and otherwise over ordinary stock as may be declared by the by-law.

Preference stock.

Priority.

2. The by-law may provide that the holders of shares of such preference stock shall have the right to select a certain stated proportion of the board of directors, or may give the said holders such control over the affairs of the Company as may be considered expedient.

Contents of by-law.

3. No such by-law shall have any force or effect until it has been sanctioned, either unanimously by the shareholders in writing or by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering it, such vote being that of shareholders holding not less than two-thirds of the subscribed capital stock of the Company.

Preference stock by-laws invalid until sanctioned.

4. Holders of shares of such preference stock shall be shareholders within the meaning of this Act, and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of this Act: Provided however that in respect of dividends and otherwise they shall, as against the ordinary shareholders, be entitled to the preferences and rights given by such by-law.

Holders of preference stock to be shareholders.

Proviso.

5. Nothing in this section contained, or done in pursuance thereof,

Rights
saved.

thereof, shall affect or impair the rights of creditors of the Company.

Company not
bound to see
to execution
of trusts.

30. The Company shall not be bound to see to the execution of any trust, whether express, implied or constructive, to which any share of its stock, or debentures or debenture stock, or any deposit or any other moneys payable by or in the hands of the Company may be subject, and the receipt of the parties in whose name such shares, debentures, debenture stock, deposit or moneys stand in the books of the Company shall be sufficient discharge to the Company for any payment of any kind in respect of such shares, debentures, debenture stock, deposits or moneys, notwithstanding any trust to which they may then be subject and whether or not the Company has had notice of such trust, and the Company shall not be bound to see to the application of the money paid upon such receipt.

Reserve
fund.

31. The directors may set aside out of the profits of the Company such sum as they think proper as a reserve fund to meet contingencies or for equalizing dividends, or for repairing, improving and maintaining any of the property of the Company, and for such other purposes as the directors may in their discretion think conducive to the interests of the Company, and may invest the several sums so set aside upon such investments, (other than shares of the Company), as they may think fit, and may deal with and vary such investments and dispose of all or any part thereof for the benefit of the Company, and may divide the reserve fund into such special funds as they think fit, with full power to employ the assets constituting the reserve fund in the business of the Company, and that without being bound to keep the same separate from the other assets: Provided always that the investment of the reserve fund shall be subject to the limitations contained in section 11 of this Act.

Investment.

Proviso.

Extension of
business
outside of
Canada.

32. The Company may, in general meeting of its shareholders duly called for the purpose, pass a by-law authorizing its directors to extend the business of the Company outside of Canada, and the directors may give effect to such by-law.

Property and
buildings for
agencies
abroad.

2. If, as provided in the next preceding subsection, the Company carries on business outside of Canada the Company may, in general meeting of the shareholders duly called for the purpose, pass a by-law authorizing the directors to invest the money of the Company in the acquisition of property for the erection or purchase of buildings required for the occupation of the Company in any place where the Company is so carrying on business.

33. The Company may have agencies in any places in Great Britain, or elsewhere, for the registration and transfer of debenture or other stock: Provided, however, that the registration book of the Company at its head office shall show all transfers of stock or debenture stock.

Transfer of
debenture
stock.

34. If the interest of any person in any share in the capital stock, or debenture stock, or in any bond, debenture or obligation of the Company (such bond, debenture or obligation not being payable to bearer), or in any deposit or any other money in the hands of the Company, is transmitted in consequence of the death, or bankruptcy, or insolvency of such holder, or by any other lawful means other than a transfer upon the books of the Company, the directors shall not be bound to allow any transfer pursuant to such transmission to be entered upon the books of the Company, or to recognize such transmission in any manner until a declaration in writing, showing the nature of such transmission, and signed and executed by the person claiming by virtue of such transmission, and also executed by the former shareholder, if living, and having power to execute the same, has been filed with the manager or secretary of the Company and approved by the directors, and if the declaration purporting to be signed and executed also purports to be made or acknowledged in the presence of a notary public, or of a judge of a court of record, or of a mayor of any city, town or borough, or other place or a British Consul, or vice-consul or other accredited representative of the British Government in any foreign country, the directors may, in the absence of direct actual notice of a contrary claim, give full credit to the declaration and (unless the directors are not satisfied with the responsibility of the transferee) shall allow the name of the party claiming by virtue of the transmission to be entered in the books of the Company.

Transmission
of interest in
shares
otherwise
than by
transfer.

35. If the transmission takes place by virtue of any testamentary act or instrument, or in consequence of an intestacy, the probate of the will or letters of administration or testamentary documents, or other judicial or official instrument under which the title (whether beneficial or as trustee) or the administration or control of the personal estate of the deceased is claimed to vest, purporting to be granted by any court or authority in Canada, or in Great Britain or Ireland, or any other of His Majesty's dominions, or in any foreign country, or an authenticated copy thereof or official extract therefrom, shall, together with the declaration mentioned in section 34 of this Act, be produced and

Requirements
in case of
transmission
by will or
intestacy.

deposited with the manager, secretary, treasurer or other officer named by the directors for the purpose of receiving it, and such production and deposit shall be sufficient justification and authority to the directors for paying the amount or value of any dividend, coupon, bond, debenture or obligation or share, or any deposit or any other moneys payable by or in the hands of the Company, or transferring or consenting to the transfer of any bond, debenture, obligation or share, or any deposit or any other moneys payable by or in the hands of the Company, in pursuance of, and in conformity to, such probate, letters of administration or such other document as aforesaid.

Directors
may apply
to court in
cases of
doubt.

36. Whenever the directors entertain reasonable doubts as to the legality of any claim to or upon such shares, bonds, debentures, obligations, dividends or coupons, or the proceeds thereof, or any deposit or any other moneys payable by or in the hands of the Company, then and in such case the directors may file in any court of competent jurisdiction in the province in which the head office of the Company is situated a petition stating such doubts, and praying for an order or judgment adjudicating and awarding the said shares, bonds, debentures, obligations, dividends, coupons, or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company to the parties legally entitled thereto, and such court shall have authority to restrain any action, suit or proceedings against the Company, and the directors, and officers thereof, for the same subject matter, pending the determination of the petition; and the Company and the directors and officers thereof shall be fully protected and indemnified by obedience to such order or judgment against all actions, suits, claims and demands in respect of the matters which have been in question in such petition, and the proceedings thereupon: Provided that if the court adjudges that such doubts were reasonable, the costs, charges and expenses of the Company, in and about such petition and proceedings, shall form a lien upon such shares, bonds, debentures, obligations, dividends, coupons or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company, and shall be paid to the Company before the directors shall be obliged to transfer, or assent to the transfer of or to pay such shares, bonds, debentures, obligations, dividends, coupons or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company to the parties found entitled thereto.

Term for
which land
may be held.

37. No parcel of land, or interest therein, at any time acquired by the Company and not required for its actual

use and occupation, or not held by way of security, shall be held by the Company, or by any trustee on its behalf, for a longer period than ten years after the acquisition thereof, but shall be absolutely sold and disposed of, so that the Company shall no longer retain any interest therein unless by way of security; and any such parcel of land or any interest therein not within the exceptions hereinbefore mentioned, which has been held by the Company for a longer period than ten years without being disposed of shall be forfeited to the Crown; provided that the Governor in Council may extend the said period from time to time, not exceeding in the whole twelve years; provided, further, that no such forfeiture shall take effect or be enforced until the expiration of at least six months after notice in writing to the Company of the intention of the Crown to claim such forfeiture, and it shall be the duty of the Company to give the Minister of Finance, when required, a full and correct statement of all lands at the date of such statement held by the Company, or in trust for the Company, and subject to these provisions.

Forfeiture.

Extension of term.

Notice of enforcing forfeiture.

38. The Company shall transmit, on or before the first day of March in each year, to the Minister of Finance, a statement in duplicate, to the thirty-first day of December, inclusive, of the previous year, verified by the oaths of the president or vice-president and the manager or secretary, setting out the capital stock of the Company and the proportion thereof paid up, the assets and liabilities of the Company and amount and nature of the investments made by the Company, both on its own behalf and on behalf of others, and the average rate of interest derived therefrom, distinguishing the classes of securities, and also the extent and value of the lands held by it, and such other details as to the nature and extent of the business of the Company as the Minister of Finance requires, and in such form and with such details as he, from time to time, requires and prescribes; but the Company shall, in no case, be bound to disclose the name or private affairs of any persons who have dealings with it.

Annual statement.

2. If the Company for the space of one month neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default shall incur the like penalty.

Penalty for default.

R.S., c. 79.

39. Sections 125, 126, 135, 141, 161, 165 and 167 of Part II of *The Companies Act* shall not apply to the Company.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 173.

An Act respecting the Pacific and Hudson Bay Railway Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1911, c. 128.

1. Section 3 of chapter 126 of the statutes of 1911, incorporating the Pacific and Hudson Bay Railway Company, hereinafter called "the Company," is amended by striking out the word "five" in the first line thereof and inserting in lieu thereof the words "twenty-five."

S. 3 amended.
Increase of capital.

2. Section 8 of the said Act is amended by striking out all the words contained in subsection 1 of the said section, after the word "Channel," in the third line thereof, to and including the word "Fort McMurray," in the twelfth line thereof, and inserting in lieu thereof the following: "or Bella Coola on the North Bentinck Arm; thence in a northeasterly direction to a point at or near Elcatcho lake; thence, in the same direction, by the valley of the Upper and Lower Nechacco rivers and Carp lake, to a point at or near Fort McLeod, or by Bella Coola Valley in an easterly direction to Puntze lake; thence in a northeasterly direction, by the Nazco river, Blackwater and Mud River valleys to a point on the Nechacco river at or near Fort George; thence in a northerly direction to a point at or near Fort McLeod; also a branch line from either of the above lines, by the most feasible route, to a point at or near Fort George; thence in a northeasterly direction

S. 8 amended.
Line of railway described.

direction from Fort McLeod, by the Misinchinca river, to Pine River Pass; thence in an easterly direction, by the most feasible route, to a point near Dunvegan; thence in a northeasterly direction, by the most feasible route, to a point on the Athabaska river near Fort McMurray."

S. 13
amended.

Power and
electricity.

3. Section 13 of the said Act is amended by striking out the words "works of the Company are authorized to be" on lines 6 and 7 of the said section and by substituting therefor the words "railway of the Company is."

S. 18
amended.
Agreements
with other
companies.

4. Section 18 of the said Act is amended by adding after the word "Company," in the last line thereof, the words "the Pacific Great Eastern Railway Company, the Edmonton, Dunvegan and British Columbia Railway Company, and the British Columbia and Dawson Railway Company."

Express
business.

5. The Company may carry on a general express business, either as a separate undertaking or in connection with its railway.

Time for
construction
of railway
extended.

6. The Company may commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon within two years after the passing of this Act, and may complete its railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation, within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 174.

An Act respecting the Pacific and Peace Railway Company.

[Assented to 16th May, 1913.]

WHEREAS the Pacific and Peace Railway Company Preamble.
has by its petition prayed that it be enacted as here- 1911, c. 127.
inafter set forth, and it is expedient to grant the prayer of
the said petition: Therefore His Majesty, by and with
the advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1. Section 7 of chapter 127 of the statutes of 1911 1911, c. 127,
is hereby amended by striking out the words “four s. 7 amended.
hundred and eighty” in the twelfth and thirteenth lines Length of
of the said section and substituting therefor the words “six railway line.
hundred and ten.”

2. Section 9 of the said Act is hereby repealed and the New s. 9.
following is substituted therefor:—

“**9.** The securities issued by the Company shall not Issue of
exceed fifty thousand dollars per mile of the railway, securities.
and may be issued only in proportion to the length of railway
constructed or under contract to be constructed.”

3. The Pacific and Peace Railway Company may, within Extension of
two years after the passing of this Act, commence the time for
construction of the railway authorized by section 7 of construction.
the said chapter 127 and expend fifteen per cent of the
amount of its capital stock thereon, and may, within
five years after the passing of this Act, complete the said
railway and put it in operation; and if, within the said
periods respectively, the said railway is not commenced

and such expenditure is not so made, or the said railway is not completed and put in operation, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

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3-4 GEORGE V.

CHAP. 175.

An Act for the relief of Daisy Madeleine Peterson.

[Assented to 6th June, 1913.]

WHEREAS Daisy Madeleine Peterson, presently residing at the city of Toronto, in the province of Ontario, wife of Francis John Peterson, of the said city of Toronto, bank manager, has by her petition alleged, in effect, that they were lawfully married on the twenty-sixth day of June, A.D. 1888, at the town of Woodstock in the province of Ontario, she then being Daisy Madeleine Emigh, spinster; that the legal domicile of the said Francis John Peterson was then and is now in Canada; that at the city of Buffalo, in the state of New York, one of the United States of America, on or about the ninth day of June, A.D. 1912, he committed adultery with a woman whose name is unknown; that at the city of Toronto, in the province of Ontario, on or about the sixteenth day of January, A.D. 1912, he committed adultery with one Theresa Hoover; that at the said city of Toronto, on or about the twenty-first day of October, A.D. 1912, he committed adultery with one Dorothy Chambers; that she has not connived at nor condoned the said acts of adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

Marriage
dissolved.

1. The said marriage between Daisy Madeleine Emigh and Francis John Peterson, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to
marry again.

2. The said Daisy Madeleine Emigh may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Francis John Peterson had not been solemnized.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 176.

An Act for the relief of Otto Clarence Peterson.

[Assented to 16th May, 1913.]

WHEREAS Otto Clarence Peterson, of the city of Win- Preamble.
nipeg, in the province of Manitoba, physician, has
by his petition alleged, in effect, that on the twelfth day of
May, A.D. 1911, at the said city of Winnipeg, he was law-
fully married to Paula Adeline Wallace; that she was then
of the said city of Winnipeg, a spinster; that his legal dom-
icile was then and is now in Canada; that at the said city
of Winnipeg, at some time during the month of February,
A.D. 1912, she committed adultery with one Walter Long;
that at the said city of Winnipeg, on or about the twenty-
first day of February, A.D. 1912, she committed adultery
with one John Frederick Lomer; that he has not connived
at nor condoned the said adultery; that there has been no
collusion, directly or indirectly, between him or her in the
proceedings for divorce; and whereas by his petition he
has prayed for the passing of an Act dissolving his said
marriage, authorizing him to marry again, and affording
him such other relief as is deemed meet; and whereas the
said allegations have been proved, and it is expedient that
the prayer of his petition be granted: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. The said marriage between Otto Clarence Peterson Marriage
and Paula Adeline Wallace, his wife, is hereby dissolved, dissolved.
and shall be henceforth null and void to all intents and
purposes whatsoever.

Right to
marry again.

2. The said Otto Clarence Peterson may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Paula Adeline Wallace had not been solemnized.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 177.

An Act to incorporate the Pointe Aux Trembles Terminal Railway Company.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. Warwick Fielding Chipman, barrister-at-law, Walter Incorporation.
Robert Lorimer Shanks, barrister-at-law, Gordon Francis
MacNaughton, student, George Robert Drennan, steno-
grapher, and Michael Joseph O'Brien, clerk, all of the city
of Montreal, in the province of Quebec, together with such
persons as become shareholders in the Company, are hereby
incorporated under the name of "The Pointe Aux Trembles Corporate
Terminal Railway Company" hereinafter called "the name.
Company."

2. The undertaking of the Company is hereby declared Declaratory.
to be a work for the general advantage of Canada.

3. The persons named in section 1 of this Act are hereby Provisional
constituted provisional directors of the Company. directors.

4. The capital stock of the Company shall be one Capital
hundred thousand dollars. No one call thereon shall exceed stock.
ten per cent on the shares subscribed. Calls.

5. The head office of the Company shall be at the city Head office.
of Montreal, in the province of Quebec.

Annual
meeting.

6. The annual meeting of the shareholders shall be held on the second Wednesday in September.

Directors.

7. The number of directors shall not be less than five nor more than nine, one or more of whom may be paid directors.

Line of
railway
authorized.

8. The Company may lay out, construct and operate a line of railway, of the gauge of four feet eight and one-half inches, from the dock to be built by the Harbour Commissioners of Montreal on the southeast end of the Canada Cement Company's property, lot number 74, in the parish of Pointe aux Trembles in the province of Quebec, and extending along the face of the said dock to near the south-westerly boundary of the Canada Cement Company's property, thence in a northwesterly direction to the Canada Cement Company's mill, crossing Notre Dame Street and the right of way of the Canadian Northern Quebec Railway Company and the Montreal Terminal Railway Company.

Consent of
municipali-
ties.

9. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over the said highway, street or other public place, and upon terms to be agreed upon with such municipality.

Issue of
securities.

10. The securities issued by the Company shall not exceed twenty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Vessels.

11. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property.

Wharfs,
docks, etc.

Warehouse-
men and
wharfingers.

Agreements
with other
companies.

12. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act* the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being the Montreal Terminal Railway

Company and the Canadian Northern Quebec Railway
Company.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 178.

An Act respecting the Port Nelson Company, Limited,
and to change its name to "the Port Nelson
Trading Corporation, Limited."

[Assented to 6th June, 1913.]

WHEREAS the Port Nelson Company, Limited, has by its petition represented that it is incorporated under *The Companies Act*, chapter 79 of the Revised Statutes, 1906, by letters patent dated the twenty-second day of May, nineteen hundred and twelve, for the purposes and with the powers therein mentioned, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
R. S., c. 79.

Canada
Gazette,
23rd May,
1912.

1. The name of the Company mentioned in the preamble, hereinafter called "the Company," is changed to "The Port Nelson Trading Corporation, Limited," but such change of name shall not in any way impair, alter or affect the rights, powers or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Name
changed.

Existing
rights not
affected.

2. The Company may, if and when so provided by by-law, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the

Issue of
share
warrants.

payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of
share
warrants.

3. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender
and
cancellation
entitle to
entry as
shareholder.

4. The bearer of a share warrant shall, subject to the by-laws of the Company, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled.

To what
extent
bearer is
shareholder.

5. The bearer of a share warrant may, if the by-laws so provide, be deemed to be a shareholder of the Company within the meaning of *The Companies Act*, either to the full extent or for such purposes as are prescribed by the by-laws: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Warrant
will not
qualify
bearer as
director.

Particulars
to be
entered in
register.

6. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share or shares, as if he had ceased to be a shareholder, and shall enter in the books the following particulars,—

- (a) the fact of the issue of the warrant;
- (b) a statement of the share or shares, included in the warrant;
- (c) the date of the issue of the warrant;

Date of
surrender to
be entered.

and until the warrant is surrendered, the above particulars shall be deemed to be the particulars which are required, by sections 89 and 90 of *The Companies Act*, to be entered in the books of the Company, in respect of such share or shares and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

By-laws
may vary
conditions
of issue.

7. The by-laws may determine the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant or coupon will be issued in place of one worn out, defaced, lost or destroyed, and the conditions
400 upon

upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the by-laws for the time being in force, whether made before or after the issue of such warrant.

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3-4 GEORGE V.

CHAP. 179.

An Act to incorporate the Premier Trust Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. William F. Roome, physician, Frederick G. Rumbell, manufacturer and capitalist, Archibald A. Campbell, loan company manager, Walter H. Moorehouse, physician, William Spittal, manufacturer, Andrew M. Hamilton, merchant, John M. Moore, civil engineer, all of the city of London, in the province of Ontario, Malcolm McGugan, of Hendrick in said province, John D. Anderson, manufacturer, of Olean, in the state of New York, one of the United States, and William E. Matthews, president of Matthews-Laing, Limited, Arthur B. Brodrick, bank manager, and Robert G. Code, King's Counsel, all of the city of Ottawa, in the said province of Ontario, together with such other persons as become shareholders in the company, are hereby incorporated under the name of "The Premier Trust Company," hereinafter called "the Company." Incorporation.
name.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business; and may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls upon stock subscribed and receive payments thereon, and shall deposit in Provisional
directors.

Powers.

a chartered bank in Canada all moneys received by them on account of the stock so subscribed for, or otherwise received by them on account of the Company, and may withdraw the same for the purposes of the Company only; and may fix the number of directors to be elected at the first meeting of the Company, which number may be changed by by-law for subsequent elections; and may do generally what is necessary to organize the Company.

Capital
stock.

3. The capital stock of the Company shall be one million dollars, divided into ten thousand shares of one hundred dollars each.

Head office.

4. The head office of the Company shall be in the city of London, in the province of Ontario, and the directors may establish branch offices and local advisory boards at such other places in Canada or elsewhere as they may determine.

Branch
offices.

Commence-
ment of
business.

5. The Company shall not commence business until at least two hundred and fifty thousand dollars of stock have been *bona fide* subscribed and one hundred thousand dollars paid thereon in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act.

Directors.

6. The affairs of the Company shall be managed by a board of not less than seven nor more than twenty-one directors, a majority of whom shall be a quorum.

Qualifica-
tions.

2. No shareholder shall be eligible for election as a director unless he holds in his own right at least twenty shares upon which all calls due have been paid; and if any director makes an assignment for the benefit of creditors, or comes within the operation of any insolvent law then in force, or ceases to hold twenty shares in his own right, he shall *ipso facto* cease to be a director, and his place may be filled for the remainder of the term by the directors from among the qualified shareholders of the Company.

Resolution
signed by
all directors.

3. The Company may, by by-law, provide that a resolution in writing signed by all the directors shall be as valid as if it had been passed at a meeting of the directors.

Calls.

4. Calls on stock may be made by the directors at such times and in such proportions as they deem proper.

Business.

7. The Company may—

Trust money.

(a) receive money in trust for the purposes herein specified and invest and accumulate it at such lawful rates of interest as can be obtained therefor;

(b) accept and execute all such trusts of every description ^{Trustee.} and nature as are entrusted to it by any government or person or committed or transferred to it by any order, judgment or decree of any court in Canada or elsewhere; execute the offices of executor, administrator, trustee, accountant, arbitrator, adjuster, auditor, receiver, assignee, liquidator, sequestrator, official guardian, guardian, curator or committee of a lunatic, and perform the duties of such offices or trusts as fully and completely as any person so appointed could do; receive and manage any sinking fund on such terms as may be agreed upon; and in all cases where application is made to any court, judge, officer or person having authority to make an appointment to any such office or trust, the Company, with its consent, may be appointed to hold such office or trust, with the substitution, if necessary, for any obligations required from any private person appointed to such office or trust, of such obligations as are applicable to corporations, and with such remuneration as may be fixed; take, hold, and accept by grant, assignment, deed, transfer, will, devise, bequest or otherwise, any real or personal estate upon any lawful trusts, and perform and execute them according to the terms and for the purposes declared, established, or agreed upon; accept from and execute trusts for married women in respect of their separate property, real or personal, and act as agent for them in the management of such separate property; guarantee repayment of the principal or payment of the interest, or both, of any moneys entrusted to the Company for investment on such terms and conditions as are agreed upon; act as agent for countersigning, registering or otherwise ascertaining and certifying to the genuineness of any issue of stock, bonds, debentures or other securities for money of any government, municipal or other corporate body duly authorized to issue and to make the said issue and may hold the said securities as agent or trustee; and act generally as fiscal or other agent for any such government or corporate body;

(c) act as agent or attorney for winding up estates, ^{Agent.} receiving or collecting any principal, interest, rents, coupons, mortgages, debts, debentures or other securities or evidences of debt or demands of any nature, and in the sale or purchase of any real or personal property, and generally act in all matters in the nature of a trust or general agency;

(d) be the custodian, on such terms as are agreed upon, ^{Custodian.} of jewellery, plate and other valuable property of any kind and of deeds, wills, policies of insurance, bonds, debentures, securities for money or other valuable papers and documents and guarantee the safe keeping of the same, and lease and hire,

hire, for such compensation and remuneration and upon such terms and conditions as may be agreed upon, its vaults, safes and receptacles;

Management of estates. (e) act as investing and managing agent of estates and properties for and on behalf of executors, administrators and trustees or other persons;

Remuneration. (f) receive and collect such remuneration for its services as is agreed upon or as is fixed or allowed by law, and all usual and customary charges, costs and expenses;

Investments. (g) receive moneys in trust for investment and allow interest thereon for a reasonable time until invested, and advance moneys to protect any estate, trust or property entrusted to it as aforesaid, and charge lawful interest upon any such advances; provided that nothing herein shall be held either to restrict or to extend the powers of the Company as trustee or agent under the terms of any trust or agency that may be conferred upon it;

Securities for debts. (h) take securities of such nature as are deemed expedient for any moneys owing to the Company;

Rights, privileges and concessions from governments. (i) obtain from any government any rights, privileges and concessions which the Company thinks it desirable to obtain, and carry out, exercise and comply with any such rights, privileges and concessions, not inconsistent with the provisions of this Act or any other Act of the Parliament of Canada;

Real estate which may be held. (j) hold such real estate as is necessary for the transaction of its business, not exceeding the net yearly value of twenty thousand dollars, and any further real estate of whatever value which, being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and sell, mortgage, lease, or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition, unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Investment of trust moneys. 8. The Company shall invest trust moneys as follows, and may manage, sell or dispose of such investments as the terms of the trust require:—

Mortgages of real estate. (a) upon first mortgages of or hypothecs upon improved freehold property of ample value in Canada, the British Empire or the United States, and may accept personal property or covenants by way of collateral security thereto: Provided, however, that investments in any country other than Canada shall be limited to moneys received from such country;

(b) in the stock, funds or government securities of Canada, or of any province of Canada, or of the United States, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in any such province, other than municipal corporations having a population of less than two thousand or an annual rate of assessment exceeding two cents on the dollar exclusive of school tax, or in the bonds and debentures of any school district in any such province, or in the public stock, funds or government securities of the United Kingdom, or of any of the colonies or dependencies thereof;

Stock and securities.

(c) in such securities as are authorized by the terms of the trust.

Securities specified by trust.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form or are part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed, unless the will, deed, order, or instrument creating the trust provides otherwise.

Existing securities.

9. The moneys and securities of any such trust shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company so that at no time shall trust moneys form part of or be mixed with the general assets of the Company; and the Company shall, in the receipt of rent and in the overseeing and management of trusts and other property, keep distinct records and accounts of all operations connected therewith; provided that in the management of the money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust moneys in the manner provided by section 8 of this Act in a general trust fund of the Company; provided always that the total amount of money of any one trust invested in the said general trust fund shall not, at any time, exceed three thousand dollars.

Trust funds to be kept separate.

Investment of funds.

10. The Company may invest any money forming part of its own capital or reserve or accumulated profit thereon in any of the securities mentioned in section 8 of this Act, or on the security of real estate in Canada, or any interest in such real estate or on the security of the debentures, bonds, stock and other securities of any chartered bank or company

Investment of moneys of Company.

company incorporated by or under the authority of the Parliament of Canada, or of the legislature of any province, to the extent of not more than twenty per cent of the paid-up capital of any such bank or company, as the directors deem expedient.

Accounts to be rendered by Company when made trustee by court.

11. In case of the appointment of the Company to any trust or office by any court in Canada, or any judge, officer or person having lawful authority in that behalf, such court, judge, officer or person may require the Company to render an account of its administration of the particular trust or office to which it has been appointed, and may appoint a suitable person to investigate the management of such particular trust by the Company, and as to the security afforded to those by or for whom its engagements are held, and such person shall report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge or officer thereof.

Note issue prohibited.

Banking prohibited.

12. Nothing in this Act shall be construed to authorize the Company to issue any note payable to bearer, or any promissory note intended to be circulated as money, or as the note of a bank, or to engage in the business of banking or of insurance.

Annual statement to be given to Minister of Finance.

13. The Company shall prepare, and annually transmit to the Minister of Finance, a statement in duplicate, verified by the oath of the president or vice-president and of the manager or secretary, setting forth the capital stock of the Company, the portion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and such statement shall be made up to the thirty-first day of December in each year.

Penalty for neglect.

2. If the Company, for the space of one month, neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default shall incur the like penalty.

Acquisition of business of other companies.

14. The Company may acquire the whole or any part of the business, rights and property of any other companies within the legislative power of the Parliament of Canada carrying on any business which the Company is authorized

to carry on, conditional upon the assumption by the Company of the duties, obligations and liabilities of every such company with respect to the business, rights and property so acquired as are not performed or discharged by such company: Provided that no such agreement shall take effect until it has been submitted to and approved of by the Treasury Board.

15. Part II. of *The Companies Act*, except sections 125, R.S., c 79. 141 and 165 thereof, shall apply to the Company.

16. The powers granted by this Act shall expire, and this Act shall cease to be in force, for all purposes except for the winding up of the Company, at the end of two years from the passing thereof unless the Company goes into actual operations within such two years.

Forfeiture of
charter by
non-user.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 180.

An Act respecting the Board of Management of the Church and Manse Building Fund of the Presbyterian Church in Canada, for Manitoba and the North West, and to change its name to "The Church and Manse Board of the Presbyterian Church in Canada."

[Assented to 6th June, 1913.]

WHEREAS the Board of Management of the Church and Manse Building Fund of the Presbyterian Church in Canada, for Manitoba and the North West, has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1883, c. 97;
1888, c. 107.

1. Notwithstanding anything in chapter 97 of the statutes of 1883, the objects for which the corporation thereby created was incorporated, and all the powers conferred thereby on the Board of Management of the Church and Manse Building Fund of the Presbyterian Church in Canada, for Manitoba and the North West, hereinafter called "the Corporation," shall not be limited to the province of Manitoba and the North West, but shall extend to and may be exercised throughout Canada.

Declaratory.

2. Chapter 107 of the statutes of 1888 is hereby repealed.

Repeal.

3. The name of the Corporation is hereby changed to "The Church and Manse Board of the Presbyterian Church in Canada."

Name changed.



3-4 GEORGE V.

CHAP. 181.

An Act to incorporate the Quebec, Portland and International Short Line Railway Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. A. W. Giard, of La Patrie, L. Roberge, of Notre Dame Incorporation.
des Bois, F. R. Cromwell, of Cookshire, Wilfrid A. St. Lau-
rent, of Cartierville, all in the province of Quebec, and R. H.
Pringle of the city of Ottawa, in the province of Ontario,
together with such persons as become shareholders in the
company, are incorporated under the name of "The Quebec, Corporate
Portland and International Short Line Railway Company," name.
hereinafter called the "the Company."

2. The railway of the Company is declared to be a Declaratory.
work for the general advantage of Canada.

3. The persons named in section 1 of this Act are con- Provisional
stituted provisional directors of the Company. directors.

4. The capital stock of the Company shall be seven Capital
hundred and fifty thousand dollars. No one call thereon stock.
shall exceed ten per cent on the shares subscribed.

5. The head office of the Company shall be at the city of Head office.
Sherbrooke, in the province of Quebec.

6. The annual meeting of the shareholders shall be held Annual
on the second Wednesday in September. meeting.

Directors.

7. The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

Line of railway described.

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one half inches from a point on the main line of the Canadian Pacific Railway at or near the village of Scotstown in the township of Hamden, thence running in a southeasterly direction along the valley of the Salmon river to a point at or near the village of La Patrie in the township of Ditton, thence southeasterly along the valley of the same river to the junction of the tributary of the said river, thence in a southerly direction to a point at or near the village of Notre Dame des Bois in the township of Chesham, thence southerly to a point on the international boundary line, in the township of Chesham or in the township of Woburn, the same being a distance of thirty-five miles more or less. Again commencing at the same point on the main line of the Canadian Pacific Railway, at or near the village of Scotstown, thence in a north easterly and then in a northwesterly direction passing through portions of the townships of Hamden and Lingwick to a point on the Quebec Central Railway in the township of Weedon, or in the township of Dudswell, the same being a distance of about thirty-five miles. Again commencing at a point at or near the village of La Patrie in the township of Ditton, thence in a southerly direction passing through portions of the townships of Hamden and Lingwick to a point on the Quebec Central Railway in the township of Weedon, or in the township of Dudswell, the same being a distance of about thirty-five miles. Again commencing at a point at or near the village of La Patrie in the township of Ditton, thence in a southerly direction through the townships of Ditton and Emberton, thence in a westerly direction following the course of North river through the township of Newport to a point of junction with the Maine Central Railway Company, or the Canadian Pacific Railway Company, in the township of Eaton, all of the said lines being in the province of Quebec.

Consent of municipalities.

9. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over the said highway, street or other public place, and upon terms to be agreed upon with such municipality.

Special powers.

10. The Company may, for the purposes of its undertaking construct, acquire, charter and navigate steam and other vessels

vessels for the conveyance of passengers, goods and merchandise, and may construct, acquire, lease and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property.

Vessels.

Wharfs,
docks.

11. The Company may, for the purposes of its undertaking, construct, acquire, or lease buildings for hotels and restaurants along its railway, and may carry on such business in connection therewith as tends to the comfort and convenience of the travelling public; and may lay out and manage parks and summer and pleasure resorts with the approval, expressed by by-law, of the municipality having jurisdiction over the place in which such parks and summer and pleasure resorts are situated, and may lease the same.

Hotels.

Parks.

12. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric or other power or energy, which may be transmitted and delivered to any place in the municipalities through which the railway has been constructed; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Transmission
and delivery
of power and
electricity.

13. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or lease its own lines to, any such companies.

Telegraphs
and tele-
phones.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

Tolls and
charges.

3. Part II of *The Telegraphs Act*, except such portions thereof as are inconsistent with *The Railway Act*, or with this Act, shall apply to the telegraphic business of the Company.

R.S., c. 126.

Consent of municipalities required for telegraph and telephone lines upon highways, etc.

14. Nothing in this Act, or in *The Telegraphs Act*, shall authorize the Company to construct or operate any telegraph or telephone lines or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent expressed by by-law, of such municipality.

Issue of securities for railway.

15. The securities issued by the Company shall not exceed thirty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Agreements with other companies.

16. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Canadian Pacific Railway Company and the Maine Central Railway Company, or either of them.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 182.

An Act to incorporate the Quebec Rapid Transit Railway Company.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. Ernest Taschereau, barrister, of the city of Quebec; Incorporation.
Edouard Parent and François-Xavier Latulipe, both farmers,
of the village of Charlesbourg; Johnny Lortie, agriculturist,
of Beauport; Cyrille Renaud, notary, of Jeune Lorette;
Adelard Lortie, merchant, of St. Grégoire, and Louis
Savard, notary, of the city of Quebec, all in the province
of Quebec, together with such persons as become share-
holders in the company, are incorporated under the name
of "The Quebec Rapid Transit Railway Company," Corporate
name.
hereinafter called "the Company."

2. The railway of the Company is declared to be a Declaratory.
work for the general advantage of Canada.

3. The persons named in section 1 of this Act are con- Provisional
directors.
stituted provisional directors of the Company.

4. The capital stock of the Company shall be one million Capital
stock.
dollars. No one call thereon shall exceed ten per cent on
the shares subscribed.

5. The Company, if previously authorized by a resolu- Preference
stock.
tion passed by the ordinary shareholders at any annual
VOL. II—27 417 meeting

meeting or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed stock of the Company, are present or represented by proxy, may issue any portion of its capital stock as preference stock, and preference stock so issued shall have such preference and priority, as respects dividends and otherwise, over ordinary stock as is declared by such resolution.

Head office. **6.** The head office of the Company shall be at the city of Quebec, in the province of Quebec.

Annual meeting. **7.** The annual meeting of the shareholders shall be held on the second Tuesday in September.

Number of directors. **8.** The number of the directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

Lines of railway described. **9.** The Company may lay out, construct and operate the following lines of railway of the gauge of four feet eight and one-half inches:—

(a) from a point in the province of Quebec, at or near the city of Quebec, towards and through Charlesbourg, Jeune Lorette, Ancienne Lorette, Ste. Foye, Cap Rouge, Sillery and Montcalmville; and also from Charlesbourg through Rivière Jaune, Notre Dame des Laurentides and Lake St. Charles to Jeune Lorette;

(b) around the Island of Orleans and across the said Island by the most feasible route.

Bridge. **2.** The Company may also construct a bridge from a point on the north shore of the St. Lawrence river to the Island of Orleans.

Consent of municipalities. **10.** The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over the said highway, street or other public place, and upon terms to be agreed upon with such municipality.

Telegraph and telephone lines. **11.** The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway and establish offices for and undertake the transmission of messages for the public and collect tolls therefor, and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts

with any companies having telegraph or telephone powers, and may connect its own lines with the line of, or may lease its own lines to, any such companies.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraph or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

Tolls or charges.

3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with *The Railway Act*, or with this Act, shall apply to the telegraphic business of the Company.

R.S., c. 126.

12. The securities issued by the Company for its railway shall not exceed forty thousand dollars per mile of the railway, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of securities for railway.

13. The Company may, subject to the provisions of *The Railway Act*, and subject also to the orders of the Board of Railway Commissioners for Canada, construct and arrange any of its railway bridges for the use of foot passengers and vehicles; and in such cases, the tolls to be charged for the passage of foot passengers and vehicles shall, before being imposed, be first submitted to and approved of, and may be revised, by the said Board; but the Company may, at any time, reduce such tolls, and a notice showing the tolls authorized to be charged on any such bridge shall, at all times, be posted up in a conspicuous place on such bridge.

Bridges for foot passengers, vehicles, etc.

Tolls or charges.

Notices

14. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Grand Trunk Pacific Railway Company, the Canadian Pacific Railway Company, the Canadian Northern Quebec Railway Company and the Quebec Railway Light, Heat and Power Company, or any of them, and also with the Government of Canada as regards its railways.

Agreements with other companies.

15. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise and construct, acquire, lease and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business

Special powers.

Vessels.

Wharfs,
docks, etc.

in connection therewith; and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property.

Hotels,
parks, etc.

16. The Company may, for the purposes of its undertaking, construct, acquire or lease buildings for hotels or restaurants along its railway and may carry on such business in connection therewith as tends to the comfort and convenience of the travelling public, and may lay out, manage and lease parks and summer pleasure resorts with the approval, expressed by by-law, of the municipality having jurisdiction over the place in which such parks and summer pleasure resorts are situated and upon terms to be agreed upon with such municipalities.

Issue of
securities for
purposes
other than
railway.

17. In addition to the securities authorized by section 10 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may borrow money for the acquisition, construction, extension, or development of any such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of money so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock, or other securities shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made.

Limitation.

Securities of
other com-
panies.

18. The Company may, in addition to the powers hereinbefore contained, acquire, hold, guarantee, pledge and dispose of stock, bonds or other securities of any railway company, or of any transportation, navigation, terminal, telegraph, express, hotel or other company authorized to carry on any business incidental to the working of a railway, and upon such terms as are specified in a by-law passed by the directors for that purpose and sanctioned by a vote of not less than two-thirds in value of the shareholders present or represented by proxy and voting at any annual meeting or at a special general meeting of the Company duly called for the purpose of considering such by-law, and such by-law shall also be subject to the approval of the Governor in Council.



3-4 GEORGE V.

CHAP. 183.

An Act for the relief of Elizabeth Adelaide Rayner.

[Assented to 2nd April, 1913.]

WHEREAS Elizabeth Adelaide Rayner, presently residing at Alma, in the county of Prince, in the province of Prince Edward Island, wife of Benjamin Rayner, of Alberton, in the said province, has by her petition alleged, in effect, that they were lawfully married on the twenty-ninth day of April, A.D. 1889, at Alma aforesaid, she then being Elizabeth Adelaide Dunbar, spinster; that the legal domicile of the said Benjamin Rayner was then and is now in Canada; that at Alberton aforesaid, in or about the month of August, A.D. 1892, he committed adultery with one Sarah Wells, and since then has lived there in adultery with the said Sarah Wells, and was so living there during the month of January, A.D. 1913; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The said marriage between Elizabeth Adelaide Dunbar and Benjamin Rayner, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said Elizabeth Adelaide Dunbar may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Benjamin Rayner had not been solemnized.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 184.

An Act respecting the Real Estate Loan Company of Canada, Limited.

[Assented to 16th May, 1913.]

WHEREAS the Real Estate Loan Company of Canada, Preamble.
Limited, incorporated under *The Canada Joint Stock Companies Act, 1877*, has by petition prayed that it be 1877, c. 43.
enacted as herein set forth, and it is expedient to grant the
prayer of the said petition: Therefore His Majesty, by and
with the advice and consent of the Senate and House of
Commons of Canada, enacts as follows:—

1. The capital stock of the Real Estate Loan Company Increase of
of Canada, Limited, hereinafter called “the Company,” is capital stock.
hereby increased from one million six hundred thousand
dollars to two million dollars.

2. The said increased capital stock shall be divided into Number of
twenty thousand shares of the par value of one hundred shares.
dollars each. Value.

3. All shareholders of the Company who, at the time of Conversion
the passing of this Act, hold shares of the par value of of share
forty dollars each, shall thenceforth hold an equivalent holdings.
amount in shares of the par value of one hundred dollars
each.

4. When the holding of any such shareholder is less Fractional
than one hundred dollars, such shareholder shall hold a holdings.
fractional part of a share of the par value of one hundred
dollars.

2. When the holding of any such shareholder exceeds the
par value of one hundred dollars, or any multiple of one
hundred dollars, the excess shall be a fractional part of a
share of the par value of one hundred dollars.

Issue of new
certificates
of stock.

5. In order to carry into effect the provisions of this Act, the directors of the Company may, forthwith after the passing of this Act, call in the present certificates of stock and issue new certificates.

Separate
certificates.

2. When a shareholder is found to be entitled to a fractional part of a share, a separate certificate for such fractional part shall in every case be issued.

Power to buy
and sell
fractions of
shares.

6. For the purpose of accumulating and consolidating them into shares of one hundred dollars each, such fractional parts may be bought and sold.

Consolidation
and sale of
same.

2. For the same purpose, the Company may buy such fractional parts, and, after consolidating them into shares of the par value of one hundred dollars each, shall sell the same within two years after such consolidation.

Power to
directors to
acquire same
within six
months at
market price.

3. If all such fractional parts have not been accumulated and consolidated after the expiration of six months from the passing of this Act, the directors may, at the expiration of thirty days after the mailing of a notice addressed to each holder of such fractional parts apprising him of their proposed action, pass a resolution to purchase all fractional parts of shares then held, at the then market price as indicated by the then last sale of such stocks or at such price not less than the market price as the directors may determine, by crediting each such shareholder in the books of the Company with such price, which shall thereafter be payable to each such shareholder on demand; and such resolution and crediting of such price shall operate as an extinguishment of the right of such holders to such fractional parts; and the directors, after consolidating such fractional parts into shares of the par value of one hundred dollars each, shall sell the same within two years from the date of such consolidation.

Further
provision
as to
consolidation
of individual
fractional
holdings.

7. Whenever and as often as any shareholder appears on the stock ledger or share register of the Company as holding fractional parts of shares which together amount to one hundred dollars or to any multiple of one hundred dollars, he shall thenceforth hold an equivalent amount in shares of the par value of one hundred dollars, and when a certificate therefor is thereafter issued it shall be a certificate for shares of the par value of one hundred dollars.

Savings
clause.
Increase or
reduction of
capital.

8. Notwithstanding anything contained in this Act, all powers respecting the increase or reduction of capital, as provided by the statutes affecting the Company, shall hereafter continue unimpaired and unaffected.



3-4 GEORGE V.

CHAP. 185.

An Act to incorporate the Regina North Western Railway Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. George Lennon Kavanagh, capitalist, Octave Louis Incorpo-
ration.
Brunelle, manufacturer, Jonathan Whitesell, manufacturer,
James Clyma, gentleman, and Ernest Bordeau, gentleman,
all of the city of Montreal, in the province of Quebec,
together with such persons as become shareholders in the
company, are incorporated under the name of "The Regina
North Western Railway Company," hereinafter called Corporate
name.
"the Company."

2. The persons named in section 1 of this Act are con- Provisional
directors.
stituted provisional directors of the Company.

3. The capital stock of the Company shall be eight Capital
stock.
million dollars. No one call thereon shall exceed ten per
cent on the shares subscribed.

4. The head office of the Company shall be at the city Head office.
of Montreal, in the province of Quebec.

5. The annual meeting of the shareholders shall be held Annual
meeting.
on the second Monday in September.

Directors.

6. The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

Line of railway described.

7. The Company may lay out, construct and operate a line of railway, of the gauge of four feet eight and one-half inches from a point at or near Regina, in the province of Saskatchewan; thence in a westerly direction to Tuxford, on the Canadian Pacific Railway; thence in a northwesterly direction to a point at Red Deer, in the province of Alberta; with a branch line from a point within township twenty-three, range fifteen, west of the third meridian in a northerly direction to Battleford; thence in a northwesterly direction to Fort McKay.

Consent of municipalities.

8. The Company shall not construct or operate its line of railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place and upon terms to be agreed upon with such municipality.

Issue of securities for railway.

9. The securities issued by the Company shall not exceed thirty-five thousand dollars per mile of the railway and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of securities for purposes other than railway.

10. In addition to the securities authorized by section 9 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may from time to time borrow moneys for the acquisition, construction, extension or development of any such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate, and, to provide for the repayment of moneys so borrowed, may issue bonds, debenture stock, perpetual or terminable, or other securities; but such bonds, debenture stock, or other securities, shall not exceed in amount the value of the properties, assets or works in respect whereof the issue is made.

Bridges.

11. The Company may, subject to the provisions of *The Railway Act*, and subject also to the orders of the Board of Railway Commissioners for Canada, construct or arrange any of its railway bridges for the use of foot passengers and vehicles; and in such cases the tolls to be charged for the passage of foot passengers and vehicles shall, before being imposed, be submitted to and approved of, and may be revised by the said Board; and the Company may, at

Tolls.

any time, reduce such tolls, and a notice showing the tolls authorized to be charged on any such bridge shall, at all times, be posted up in a conspicuous place on the bridge. Notice.

12. For the purposes of its undertaking, the Company may construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise, and construct, acquire, lease and dispose of wharfs, docks, elevators, warehouses, offices and other structures, to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property. Vessels.
Wharfs,
docks, etc.

13. The Company may, in connection with its railway and for the purposes of its undertaking and for the comfort and accommodation of travellers, construct, acquire, maintain or otherwise utilize hotels, restaurants and other buildings, and carry on in connection therewith all business necessary for such purposes. Hotels.

14. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges. Transmission
and delivery
of electric
and other
power.
R.S., c. 37.

15. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public and collect tolls therefor, and, for the purposes of operating such lines or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into any contract with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to any such companies. Telegraphs
and tele-
phones.
R.S., c. 37.

2. No toll or charge shall be demanded or taken for the transmission of any message or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges. Tolls and
charges.

R.S., c. 126.

3. Part II of *The Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with *The Railway Act*, shall apply to the telegraphic business of the Company.

Consent of municipalities required for telegraph and telephone lines, etc., upon highways, etc.

16. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Agreements with other companies.

17. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Northern Railway Company and the Alberta, Peace River and Eastern Railway Company, or any of them.

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3-4 GEORGE V.

CHAP. 186.

An Act respecting a patent of the Honourable Ambrose D. Richard and others.

[Assented to 16th May, 1913.]

WHEREAS the Honourable Ambrose D. Richard, W. Frank Tait, Allan W. Chapman and C. Lionel Han-
ington, all of the town of Dorchester, in the province of New Brunswick, have by their petition represented that they are the owners of a patent issued under the seal of the Patent Office, namely, number one hundred and one thousand and thirty-one, dated the eighteenth day of September, one thousand nine hundred and six, for composition of matter for paint, and have prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. Notwithstanding anything in *The Patent Act*, or in the patent mentioned in the preamble, the Commissioner of Patents may receive from the holders of the said patent an application for a certificate of payment of further fees and the usual fees for the second term for the said patent and may grant and issue to such holders the certificates of payment of further fees provided for by *The Patent Act*, and an extension of the term of duration of the said patent in as full and ample a manner as if the application therefor had been duly made and the fees paid within the first six years from the date of the issue of the said patent.

Extension of time for payment of fees.

R.S., c. 69.

Extension of duration of patent.

2. If any person has, in the period between the expiry of six years from the date of the said patent, and the twenty-third

Saving of rights acquired.

third day of November, nineteen hundred and twelve, commenced to construct, manufacture, use or sell in Canada the invention covered by the said patent, such person may continue to construct, manufacture, use or sell the said invention in as full and ample a manner as if this Act had not been passed.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 187.

An Act for the relief of John Caldwell Richards.

[Assented to 2nd April, 1913.]

WHEREAS John Caldwell Richards, of Wood Mountain, Preamble.
in the province of Saskatchewan, has by his petition
alleged, in effect, that on the twenty-fifth day of October,
A.D. 1891, at Saltcoats, in the said province, he was law-
fully married to Elizabeth Dunn; that she was then of
Saltcoats, in the said province, a spinster; that his legal
domicile was then and is now in Canada; that in the month
of January, A.D. 1908, she admitted to him that she had
been guilty of adultery with one G. F. Adams at Wood
Mountain, in the said province; that the said John Cald-
well Richards then separated from her and ceased to live
with her as his wife; that subsequently she deserted him
and lived as wife with husband with one William R. Mason
at the city of Victoria, in the province of British Columbia,
and on the fifteenth day of December, A.D. 1912, was so
living with the said Mason; that she has thereby committed
adultery; that he has not connived at nor condoned the
said adultery; that there has been no collusion, directly or
indirectly, between him and her in the proceedings for
divorce; and whereas by his petition he has prayed for the
passing of an Act dissolving his said marriage, author-
izing him to marry again, and affording him such other
relief as is deemed meet; and whereas the said allegations
have been proved, and it is expedient that the prayer of
his petition be granted: Therefore His Majesty, by and
with the advice and consent of the Senate and House of
Commons of Canada, enacts as follows:—

1. The said marriage between John Caldwell Richards, Marriage
and Elizabeth Dunn, his wife, is hereby dissolved, and shall dissolved.
431 be

be henceforth null and void to all intents and purposes whatsoever.

Right to
marry again.

2. The said John Caldwell Richards may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Elizabeth Dunn had not been solemnized.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 188.

An Act for the relief of Louise Marguirette Ruth Ridge.

[Assented to 2nd April, 1913.]

WHEREAS Louise Marguirette Ruth Ridge, presently Preamble.
residing at the city of Winnipeg, in the province of Manitoba, wife of Cecil Stafford Ridge, presently of the city of Seattle, in the state of Washington, one of the United States of America, has by her petition alleged, in effect, that they were lawfully married on the thirteenth day of August, A.D. 1901, at the city of Wolverhampton, in England, she then being Louise Marguirette Ruth Sims, spinster; that the legal domicile of the said Cecil Stafford Ridge was then in England, and is now in Canada; that in the year 1904 he deserted her; that on the twentieth day of November, A.D. 1907, at the city of Seattle, in the state of Washington, one of the United States of America, he unlawfully went through a form of marriage with one Helena Alexandra Nordhoff, and has since the last mentioned date lived as husband with wife and committed adultery with the said Helena Alexandra Nordhoff; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage
dissolved.

1. The said marriage between Louise Marguirette Ruth Sims and Cecil Stafford Ridge, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to
marry again.

2. The said Louise Marguirette Ruth Sims, may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Cecil Stafford Ridge had not been solemnized.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 189.

An Act to incorporate the Roman Catholic Episcopal Corporation of Mackenzie.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Right Reverend Gabriel Breynat, and his Incorporation.
successors, being Vicars Apostolic of the Vicariate Apostolic of Mackenzie, in communion with the Church of Rome, are hereby incorporated under the name of "The Roman Corporate name.
Catholic Episcopal Corporation of Mackenzie," hereinafter called "the Corporation."

2. The head office of the Corporation shall be at Fort Head office.
Resolution or at such other place in the Northwest Territories as may be appointed by the Corporation.

3. The Corporation may, from time to time, make Power to make by-laws.
by-laws not contrary to law, for,—

- (a) the administration, management and control of the property, business and other temporal affairs of the Corporation;
- (b) the appointment, functions, duties and remuneration of all officers, agents, and servants of the Corporation;
- (c) the appointment of an executive committee and of special committees, from time to time, for the purposes

of the Corporation, and for the calling of meetings of such committees;

(d) generally for the carrying out of the objects and purposes of the Corporation.

Power to
acquire and
hold
property.

4. The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest whatsoever given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of the uses and purposes of the Corporation or to, for or in favour of any religious, educational, eleemosynary or other institution established or intended to be established by, under the management of, or in connection with the uses or purposes of the Corporation.

Limitation
as to value.

2. The annual value of the real estate held by or in trust for the Corporation in any province within the said Vicariate, shall not exceed fifty thousand dollars.

Holding of
real
property by
way of
security.

3. The Corporation may also hold such real property or estate therein as is *bona fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.

Investment
in and
disposal of
real
property.

5. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not; and may also, from time to time, invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property in any part of Canada; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either wholly or partly.

Obligation
to dispose
of lands.

6. No parcel of land or interest therein at any time acquired by the Corporation and not required for its actual use and occupation, and not held by way of security, shall be held by the Corporation, or by any trustee on its behalf, for a longer period than ten years after the acquisition thereof, but shall at or before the expiration of such period, be absolutely sold or disposed of, so that the Corpora-

Limit as to
time.

tion shall no longer retain any interest or estate therein, except by way of security.

2. Any such parcel of land, or any estate or interest therein, not within the exceptions hereinbefore mentioned, which has been held by the Corporation for a longer period than ten years without being disposed of, shall be forfeited to His Majesty for the use of Canada; but such forfeiture shall not take effect nor be enforced until the expiration of at least six calendar months after notice in writing from the Minister of Finance to the Corporation of the intention of His Majesty to claim such forfeiture. Forfeiture to Crown.
Notice.

3. The Corporation shall give the Minister of Finance when required a full and correct statement of all lands at the date of such statement held by the Corporation, or in trust for it, and subject to the provisions of this section. Statement.

7. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Corporation. Application of mortmain laws.

8. In so far as authorization by the Parliament of Canada is necessary, any person or corporation, in whose name any property, real or personal, is held, in trust or otherwise, for the use and purposes aforesaid, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Corporation. Authority for transfer of property held in trust.

9. Any deed or other instrument relating to real estate vested in the Corporation or to any interest in such real estate shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there are affixed thereto the seal of the Corporation and the signature of any officer of the Corporation duly authorized for such purpose or his lawful attorney. Execution of deeds.

10. The Corporation may, from time to time, for the purposes of the Corporation:— Borrowing powers.

- (a) borrow money upon the credit of the Corporation;
- (b) limit or increase the amount to be borrowed;

(c) make, draw, accept, endorse or become party to promissory notes and bills of exchange; every such note or bill made, drawn, accepted or endorsed by the party thereto authorized by the by-laws of the Corporation and countersigned by the proper party thereto authorized by the said by-laws, shall be binding upon the Corporation, and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown; and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;

(d) mortgage, hypothecate or pledge any property of the Corporation, real or personal, to secure the repayment of any money borrowed for the purposes of the Corporation.

Limitation.

2. Nothing in this section shall be construed to authorize the Corporation to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank or to engage in the business of banking or insurance.

Investment of funds.

11. The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable, and also may lend its funds or any portion thereof on any such securities.

Substitutes for Vicar Apostolic in certain cases.

12. In case the Vicar Apostolic, for the time being, of the said Vicariate is, by reason of absence, or from sickness, infirmity or any other cause, incapable or incapacitated to perform his duties in the said Vicariate, then his coadjutor, or the person or persons administering the Vicariate for the time being, shall during such absence, sickness, infirmity or incapacity, have the same powers as are, by this Act, conferred upon the said Vicar Apostolic.

Application to diocese when erected.

13. Whenever the said Vicariate, or any part thereof, is erected into a diocese, the incorporation hereby created shall thereupon apply to such diocese; and the bishop thereof, and his successors, for the time being, in communion with the Church of Rome, shall be deemed to be and to constitute the Roman Catholic Episcopal Corporation of Mackenzie, being the Corporation created by this Act, and shall have and possess, under the said corporate name, all the powers, rights and privileges, and be subject to the same restrictions and limitations in respect thereof as are contained in this Act.



3 - 4 GEORGE V.

CHAP. 190.

An Act respecting the Royal Canadian Academy of Arts.

[Assented to 6th June, 1913.]

WHEREAS a society consisting of professional artists Preamble.
was founded in Canada in the year 1880, by His Excellency the Marquis of Lorne, then Governor General of Canada and Her Royal Highness Princess Louise, and with the sanction of Her Majesty Queen Victoria, under the name of the "Royal Canadian Academy of Arts;" and whereas the said society obtained an Act of incorporation from the Parliament of Canada intituled "An Act to incorporate the Royal Canadian Academy of Arts," being chapter 122 of the statutes of 1882; and 1882, c. 122.
whereas the said Royal Canadian Academy of Arts has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Charter of the Royal Canadian Academy of Arts.* Short title.

2. The present academicians and associates, members of the said Royal Canadian Academy of Arts, and such other artists being academicians and associates as may hereafter become members, are and shall continue to be a body politic and corporate, under the name of "The Royal Canadian Academy of Arts," hereinafter called "the Academy." Incorporation continued.
Corporate name.

2. The chief place of business of the Academy shall be in the city of Ottawa. Chief place of business.

Objects. **3.** The objects of the Academy are and shall be the encouragement, improvement and cultivation of the arts of painting, sculpture, architecture, etching, engraving and of design as applied to the industrial arts and manufactures, and the promotion and support of education in all such arts, and for the purpose of attaining such objects, the Academy is authorized—

Exhibitions. (a) to hold exhibitions in the principal cities of Canada and elsewhere;

Schools. (b) to establish schools of art and design;

National Gallery. (c) to continue to aid in the advancement of the National Gallery (the institution of which was one of the chief objects set forth in the original Act of incorporation of the Academy) and to enjoy such privileges in connection with it as the Academy may now have or be hereafter granted;

Generally. (d) to adopt such other means as the Academy may deem advisable.

Academicians and associates. **4.** The Academy shall be composed of two orders of members, namely, academicians and associates. The academicians and associates composing the Academy shall be artists by profession and be either (a) painters, (b) sculptors, (c) architects, (d) designers, etchers or engravers.

Number of academicians. **2.** The number of academicians shall not exceed forty, but the number of associates may be unlimited, save as otherwise determined by the Academy; but at no time shall there be of academicians who are (a) painters more than twenty-two, (b) sculptors more than five, (c) architects more than nine, (d) designers, etchers and engravers more than four.

Qualification of academicians. **5.** An academician is a member who shall have been duly elected as such from among the associates or who may have become an academician after having been a member of some other class of academicians in accordance with the by-laws and shall have contributed to the National Gallery a picture, piece of sculpture, design, etching or engraving approved and accepted by the council as a satisfactory specimen of his work in his particular branch of art and who shall have complied with all other conditions prescribed by the by-laws of the Academy, and shall have received a diploma signed by the Governor General.

Diploma.

Associates. **6.** An associate is a member who shall have had his permanent residence in Canada for at least two years prior to his nomination and who shall have been duly elected and

who shall have complied with all other conditions prescribed by the by-laws of the Academy. Associates shall not be eligible for membership on the council nor for any office nor have any vote at the general assembly or in any of the affairs of the Academy, save only the right of voting at the election of academicians. Qualification.

7. The annual general meeting of the Academy, known as the "general assembly," shall be held at such time and place as may be selected in conformity with the by-laws, to receive the annual report and financial statement, to elect members and officers, deal with by-laws submitted for confirmation and for all other purposes relating to the affairs and management of the Academy. At this meeting the council for the ensuing year shall be declared. Annual general meeting.
Proceedings.

8. At elections held for academicians, both academicians and associates shall have the right to vote, but for associates and officers, academicians only shall have the right to vote: Provided that an associate can only vote for an academician of the class to which such associate belongs. Voting at elections.

9. The government and the affairs of the Academy shall be vested exclusively in a council to be composed of a president, a vice-president and twelve other academicians. All academicians shall be entitled to serve on the council, but in such order of rotation as the by-laws may determine. Council, and how constituted.

10. The council shall administer the affairs of the Academy in all things and may, at any meeting called for the purpose, make by-laws not contrary to law or to the charter of the Academy as to the following matters:— Powers of council.
By-laws.

(a) The election of members;

(b) The composition of the council and the order of rotation of service;

(c) The regulation and collection of membership fees;

(d) Obnoxious members, their suspension, expulsion or other punishment; provided that no member may be suspended or expelled except upon the vote of at least two-thirds of the members present at the annual general assembly;

(e) To financially or otherwise aid artists in want or their families;

(f) The time and place for the holding of the exhibitions of the Academy, the holding and the calling of meetings, regular and special, the quorum, the requirements as to proxies, votes of absentees and the procedure in all things at such meetings and the business to be transacted thereat;

(g) The appointment, election, functions and duties of all officers, committees and special commissioners of the Academy;

(h) To establish honorary, honorary retired, non-resident and other classes of academicians, and determine the membership thereof and their qualifications, and define their rights, privileges and obligations;

(i) The conduct and management in all other particulars of the affairs of the Academy not otherwise provided for by this Act.

Time in
force.

2. Every such by-law shall only be in force until the next general assembly, and in default of confirmation thereat shall at and from that time cease to be in force.

Proceedings
to be
approved by
Governor
General.

11. All proceedings of the general assembly and of the council shall be submitted by the president to the Governor General for approval, and his pleasure thereon shall be reported to the council by the president or such deputy as the president may name for that purpose.

New
by-laws.

Notice.

12. No by-law shall be amended or repealed, nor shall any new by-law be enacted, except at a meeting of the council of which at least fourteen days previous notice in writing has been given by registered mail to each member of the council.

Real and
personal
property.

13. The Academy may acquire by purchase, lease or otherwise and hold and possess any such real or personal property as it deems expedient, and may sell, lease, mortgage, hypothecate or otherwise dispose of any property held by it: Provided that the annual value of the real estate held by the Academy shall not exceed the sum of twenty-five thousand dollars.

Officers and
by-laws
continued.

14. The present council shall continue in office until its successors are appointed in accordance with the provisions of this Act; and the present by-laws of the Academy shall be and continue to be the by-laws of the Academy until they are amended, repealed or replaced in the manner prescribed by this Act.

1882, c. 122
repealed.

15. Chapter 122 of the statutes of 1882 is repealed.



3-4 GEORGE V.

CHAP. 191.

An Act to incorporate the Ruthenian Greek Catholic Episcopal Corporation of Canada.

[Assented to 6th June, 1913.]

WHEREAS a considerable number of Ruthenian Greek Catholics have during recent years emigrated from Europe into Canada and are at present scattered throughout the different provinces of this Dominion; and they, while in communion with Rome and the Roman See, follow an oriental rite and liturgy proper to themselves; and a Bishop, the Right Reverend Nicetas Budka, has recently been deputed by the Holy Roman See to hold spiritual jurisdiction over these people and to minister to their spiritual needs according to their own special rite and liturgy; and whereas a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. The Right Reverend Nicetas Budka, Titular Bishop of Patara, deputed by the Holy Roman See as Bishop for the Ruthenian Greek Catholics of Canada in communion with Rome, and his successors in office, the Bishops appointed by the aforesaid See to hold jurisdiction over the Ruthenian Greek Catholics of Canada, of the same faith and rite and persevering in communion with the Roman Pontiff, are hereby constituted a corporation under the name of "The Ruthenian Greek Catholic Episcopal Corporation of Canada," hereinafter called "the Corporation," for the purposes of administering the property, business and other temporal affairs connected with the said spiritual jurisdiction.

Incorporation.
Corporate name.

Head office.

2. The head office of the Corporation shall be in the city of Winnipeg, in the province of Manitoba.

Power to make by-laws.

3. The Corporation may, from time to time, make by-laws not contrary to law, for,—

(a) the administration, management and control of the property, business and other temporal affairs of the Corporation;

(b) the appointment, functions, duties and remuneration of all officers, agents, and servants of the Corporation;

(c) the appointment of an executive committee and of special committees, from time to time, for the purposes of the Corporation, and for the calling of meetings of such committees;

(d) generally for the carrying out of the objects and purposes of the Corporation.

Power to acquire and hold property.

4. The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest whatsoever given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of the uses and purposes of the Corporation or to, for or in favour of any religious, educational, eleemosynary or other institution established or intended to be established by, under the management of, or in connection with the uses or purposes of the Corporation.

Limitation as to value.

2. The annual value of the real estate held by or in trust for the Corporation in any province of Canada shall not exceed fifty thousand dollars.

Holding of real property by way of security.

3. The Corporation may also hold such real property or estate therein as is *bonâ fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.

Investment in and disposal of real property.

5. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not; and may also, from time to time, invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property in any part of Canada; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly

to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either wholly or partly.

6. No parcel of land or interest therein at any time acquired by the Corporation and not required for its actual use and occupation, and not held by way of security, shall be held by the Corporation, or by any trustee on its behalf, for a longer period than ten years after the acquisition thereof, but shall, at or before the expiration of such period, be absolutely sold or disposed of, so that the Corporation shall no longer retain any interest or estate therein, except by way of security.

Obligation
to dispose
of lands.

Limit as to
time.

2. Any such parcel of land, or any estate or interest therein, not within the exceptions hereinbefore mentioned, which has been held by the Corporation for a longer period than ten years without being disposed of, shall be forfeited to His Majesty for the use of Canada; but such forfeiture shall not take effect nor be enforced until the expiration of at least six calendar months after notice in writing from the Minister of Finance to the Corporation of the intention of His Majesty to claim such forfeiture.

Forfeiture
to Crown.

Notice.

3. The Corporation shall give the Minister of Finance when required a full and correct statement of all lands at the date of such statement held by the Corporation, or in trust for it, and subject to the provisions of this section.

Statement.

7. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Corporation.

Application
of mortmain
laws.

8. In so far as authorization by the Parliament of Canada is necessary, any person or corporation, in whose name any property, real or personal, is held, in trust or otherwise, for the use and purposes aforesaid, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Corporation.

Authority
for transfer
of property
held in
trust.

Execution
of deeds.

9. Any deed or other instrument relating to real estate vested in the Corporation or to any interest in such real estate shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there are affixed thereto the seal of the Corporation and the signature of any officer of the Corporation duly authorized for such purpose or his lawful attorney.

Borrowing
powers.

10. The Corporation may, from time to time, for the purposes of the Corporation:—

- (a) borrow money upon the credit of the Corporation;
- (b) limit or increase the amount to be borrowed;
- (c) make, draw, accept, endorse or become party to promissory notes and bills of exchange; every such note or bill made, drawn, accepted or endorsed by the party thereto authorized by the by-laws of the Corporation and countersigned by the proper party thereto authorized by the said by-laws, shall be binding upon the Corporation, and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown; and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;
- (d) mortgage, hypothecate or pledge any property of the Corporation, real or personal, to secure the repayment of any money borrowed for the purposes of the Corporation.

Limitation.

2. Nothing in this section shall be construed to authorize the Corporation to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance.

Investment
of funds.

11. The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable, and also may lend its funds or any portion thereof on any such securities.

Exercise of
powers when
bishop
incapable
to act.

12. In the event of the death of the bishop as above deputed for the Ruthenian Greek Catholics of Canada, the administrator canonically appointed by the Roman See to perform the duties of the office, and in the event of the absence, illness, infirmity or other incapacity of the bishop for the time being to perform the duties of the Corporation, then his vicar general or other person canonically appointed to perform his duties as bishop, shall have,
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until

until a new bishop is appointed, or during such absence, illness, infirmity or incapacity, the powers by this Act conferred upon the Corporation.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 192.

An Act respecting the Bank of Saskatchewan.

[Assented to 10th April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1912, c. 145.

1. Notwithstanding anything in *The Bank Act* or in chapter 145 of the statutes of 1912 incorporating the Bank of Saskatchewan, the Treasury Board may within six months after the twelfth day of March, A.D. 1913, give to the said Bank the certificate required by section 14 of *The Bank Act*.

Extension of time for commencing business.
R.S., c. 29.
s. 14.

2. In the event of the said Bank not obtaining the said certificate from the Treasury Board within the time aforesaid, the rights, powers and privileges conferred on the said Bank by the said Act of incorporation and by this Act shall thereupon cease and determine, but otherwise shall remain in full force and effect notwithstanding section 16 of *The Bank Act*.

Effect of certificate.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 193.

An Act for the relief of Frederick Frank Saunders.

[Assented to 2nd April, 1913.]

WHEREAS Frederick Frank Saunders, of the city of Preamble
Toronto, in the province of Ontario, architect, has by his petition alleged, in effect, that on the sixth day of May, A.D. 1899, at the city of New York, in the state of New York, one of the United States of America, he was lawfully married to Mabel Elizabeth Armstrong; that she was then of the said city of New York, a spinster; that his legal domicile was then and is now in Canada; that between the twenty-fourth day of November, A.D. 1911, and the month of December, A.D. 1912, she was living as wife with husband and committed adultery with one Ronald Angus at various places in the United States of America, and more particularly at the city of Rochester, in the state of New York, and the town of Seaview, in the state of Massachusetts, in the United States of America; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Frederick Frank Saunders and Mabel Elizabeth Armstrong, his wife, is hereby dissolved. Marriage dissolved.

solved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to
marry again.

2. The said Frederick Frank Saunders may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Mabel Elizabeth Armstrong had not been solemnized.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 194.

An Act respecting the Shuswap and Okanagon Railway Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1886, c. 82;
1888, c. 88;
1891, c. 72.

1. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Shuswap and Okanagon Railway Company, hereinafter called "the Company," may enter into an agreement with the Canadian Pacific Railway Company for any of the purposes specified in the said section 361, and may lease its railway to the said Canadian Pacific Railway Company; but the approval of the shareholders of the said Canadian Pacific Railway Company to such agreement and lease shall be sufficient if the provisions of section 6 of chapter 47 of the statutes of 1890 are complied with.

Agreement
with
Canadian
Pacific
Railway
Co.

Conditions
of approval.

1890, c. 47,
s. 6.

2. The limit to the amount of securities issued by the Company in respect of its railway shall not exceed thirty-five thousand dollars per mile of its railway, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of
securities.



3-4 GEORGE V.

CHAP. 195.

An Act respecting the Simcoe, Grey and Bruce Railway Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1911, c. 140.

1. The Simcoe, Grey and Bruce Railway Company may commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not so completed and put in operation within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for
construction
extended.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 196.

An Act for the relief of Malcolm Smith.

[Assented to 2nd April, 1913.]

WHEREAS Malcolm Smith, of the city of Toronto, in the province of Ontario, manufacturer, has by his petition alleged, in effect, that on the seventh day of January, A.D. 1901, at the said city of Toronto, he was lawfully married to Mary MacDonald; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto, on or about the fourteenth day of August, A.D. 1912, she committed adultery with one Pratt; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Malcolm Smith and Mary MacDonald, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

2. The said Malcolm Smith may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Mary MacDonald had not been solemnized. Right to marry again.



3-4 GEORGE V.

CHAP. 197.

An Act respecting the Southampton Railway Company and the Canadian Pacific Railway Company.

[Assented to 16th May, 1913.]

WHEREAS the Southampton Railway Company, has by its petition represented that it was incorporated by chapter 46 of the statutes of 1910 of New Brunswick, and that by chapter 12 of the statutes of 1911 of New Brunswick it was authorized to enter into the agreement and lease with the Canadian Pacific Railway Company, hereinafter called "the Company" as hereafter provided, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
New
Brunswick
1910, c. 46;
1911, c. 12.

1. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act* the Company may, for any of the purposes specified in the said section 361, enter into an agreement with the Southampton Railway Company for leasing the railway and undertaking of the Southampton Railway Company, and may lease said railway and undertaking from the Southampton Railway Company, but the approval of the shareholders of the Canadian Pacific Railway Company to such agreement and lease shall be sufficient if the provisions of section 6 of chapter 47 of the statutes of 1890 are complied with.

Authority
for agreement
with Cana-
dian Pacific
Railway
Company.

1890, c. 47,
s. 6.



3-4 GEORGE V.

CHAP. 198.

An Act respecting the Southern Central Pacific Railway Company.

[Assented to 2nd April, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1903, c. 191;
1906, c. 162;
1909, c. 135;
1911, c. 141.

1. This Act may be cited as *The Southern Central Pacific Railway Act, 1913*.

Short title.

2. The Southern Central Pacific Railway Company, hereinafter called "the Company," may commence the construction of the lines of railway authorized by section 7 of chapter 191 of the statutes of 1903, and by section 1 of chapter 141 of the statutes of 1911, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said railways and put them in operation within five years after the passing of this Act; and if the said railways are not so commenced and such expenditure is not so made, or if the said railways are not so completed and put in operation within the said periods, respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railways as then remains uncompleted.

Lines of railway authorized.

Time for construction of railway extended.

3. Section 2 of chapter 141 of the statutes of 1911 is repealed.

1911, c. 141,
s. 2 repealed.

4. Section 5 of chapter 141 of the statutes of 1911 is repealed and in lieu thereof it is enacted that George F. Macdonnell, Provisional directors.

Macdonnell, Albert E. Honeywell, William N. Graham, James S. Dingman and Henry P. Young, all of the city of Ottawa, in the province of Ontario, shall be the provisional directors of the Company.

Agreements
with other
companies.

5. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Grand Trunk Pacific Branch Lines Company, the Canadian Northern Railway Company, and the Canadian Northern Branch Lines Company, or any of them.

Consent of
municipali-
ties.

6. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

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3-4 GEORGE V.

CHAP. 199.

An Act respecting certain patents of the Standard Paint Company of Canada, Limited.

[Assented to 16th May, 1913.]

WHEREAS the Standard Paint Company of Canada, Limited, having its chief place of business in the city and district of Montreal, in the province of Quebec, in the Dominion of Canada, hereinafter called "the Canadian Company," has by its petition represented that on the ninth day of May, 1905, and the sixteenth day of May, 1905, patents of the Dominion of Canada, Nos. 93027 and 93160 respectively, were granted under the seal of the Patent Office, for "Weatherproof coverings" and "Flexible roofings or floorings," to the Standard Paint Company, a body corporate, organized under the laws of the State of New Jersey, one of the United States of America, hereinafter called "the New Jersey Company," and that subsequent to those dates the Canadian Company purchased the rights of the New Jersey Company and fulfilled all the requirements of *The Patent Act*, including the payment of the renewal fees at the end of the first term of each of the said patents, and that on the twenty-eighth day of December, 1912, the special machinery necessary for manufacturing the patented inventions aforesaid was destroyed by fire at the Canadian Company's works and therefore it is unable to supply the public demand and fulfil the requirements of *The Patent Act* without the assistance of the New Jersey Company; and whereas the Canadian Company carries on an important industry in Canada and has expended large sums of money in the exploitation of the said patents, and the necessity of having the assistance of the New Jersey Company and of being able to supply the demand, is apparent and urgent, and the present position has been reached by

Preamble.
R. S., c. 69.

ways entirely beyond the control of the Canadian Company; and whereas the Canadian Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Authority for
importation
during 1913.

Authority for
variation of
conditions of
manufacture.

R. S., c. 69,
ss 38, 44.

1. Notwithstanding anything to the contrary in *The Patent Act* or in the patents mentioned in the preamble to this Act, the Commissioner of Patents may grant the Standard Paint Company of Canada, Limited, full authority to import into Canada from elsewhere the patented inventions protected under the said patents during the year nineteen hundred and thirteen, up to and including the thirty-first day of December of that year, without affecting the validity of the said patents; and the Commissioner of Patents is hereby authorized to place the said patents under the conditions set forth in section 44 of *The Patent Act*, in place of the conditions set forth in section 38 of *The Patent Act*; and the said patents shall remain in full force notwithstanding any importations of the said patented inventions during the year nineteen hundred and thirteen.

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3-4 GEORGE V.

CHAP. 200.

An Act for the relief of Pierre Zenon St. Aubin.

[Assented to 16th May, 1913.]

WHEREAS Pierre Zenon St. Aubin, of the city of Mont-Preamble.
real, in the province of Quebec, real estate agent,
has by his petition alleged, in effect, that on the fourteenth
day of November, A.D. 1891, at the said city of Montreal,
he was lawfully married to Marie Anysie Trudeau; that she
was then of the said city of Montreal, a spinster; that his
legal domicile was then and is now in Canada; that at the
said city of Montreal, in or about the year 1897 or 1898, she
committed adultery; that in the year 1908, she deserted
him; that he did not discover the said adultery until she
had deserted him; that from the time she deserted him
until the present time she has been leading a dissolute life
at the said city of Montreal; that he has not connived at nor
condoned the said adultery; that there has been no col-
lusion, directly, or indirectly, between him and her in the
proceedings for divorce; and whereas by his petition he
has prayed for the passing of an Act dissolving his said
marriage, authorizing him to marry again, and affording
him such other relief as is deemed meet; and whereas the
said allegations have been proved, and it is expedient that
the prayer of his petition be granted: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. The said marriage between Pierre Zenon St. Aubin and Marie Anysie Trudeau, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said Pierre Zenon St. Aubin may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Marie Anysie Trudeau had not been solemnized.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 201.

An Act for the relief of Charles Frederick Tarling.

[Assented to 2nd April, 1913.]

WHEREAS Charles Frederick Tarling, of the city of Preamble.
Toronto, in the province of Ontario, has by his petition alleged, in effect, that on the nineteenth day of October, A.D. 1898, at the said city of Toronto, he was lawfully married to Evelyn Harriette Gilson; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto, in or about the month of July, A.D. 1907, she deserted him and went to the city of Buffalo, in the state of New York, one of the United States of America, where she lived and committed adultery with one Edward Reid, and continued to live there and commit adultery with the said Reid until the month of June, A.D. 1912; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Charles Frederick Tarling and Evelyn Harriette Gilson, his wife, is hereby dissolved, Marriage dissolved.
and shall be henceforth null and void to all intents and purposes whatsoever.

Right to
marry again.

2. The said Charles Frederick Tarling may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Evelyn Harriette Gilson had not been solemnized.

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3-4 GEORGE V.

CHAP. 202.

An Act respecting the Toronto Terminals Railway Company.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth and it is expedient 1906, c. 170.
to grant the prayer of the said petition: Therefore His
Majesty by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. Section 1 of chapter 170 of the statutes of 1906 is 1906, c. 170,
hereby amended by striking thereout the names, Charles s. 1 amended
M. Hays, Earl H. Fitzhugh and Francis H. McGuigan, New
and substituting therefor the names E. J. Chamberlin, corporators.
Howard G. Kelley and William Wainwright.

2. Section 14 of the said chapter is hereby amended S. 14
by striking out the words "three million" in the second amended
line thereof and substituting therefor the words "ten Increase
million." in amount
of securities.

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3-4 GEORGE V.

CHAP. 203.

An Act to vest in the Van Buren Bridge Company the charter rights of the Restigouche and Western Railway Company to construct and maintain a railway bridge across the Saint John River.

[Assented to 6th June, 1913.]

WHEREAS by chapter 78 of the statutes of 1900 the Restigouche and Western Railway Company was authorized to construct, maintain and use a bridge for railway purposes across the Saint John river, between Grand Falls and Edmundston in the province of New Brunswick, to a point on the opposite side of the said river, it being provided by the said Act that should the site selected for the proposed bridge be such that the western terminus thereof will be in the state of Maine, one of the United States, the said company shall not commence the actual erection of the said bridge until an Act of the Congress of the United States, or an Act of the legislature of the state of Maine, has been passed, authorizing or approving the bridging of the said river as aforesaid, nor until the Executive of the United States has consented to and approved such bridging; Preamble.
1900, c. 78.

And whereas it is also provided by the said Act that the said company may, after obtaining the sanction of the Governor-in-Council in the manner provided in *The Railway Act*, unite with any other company under the laws of the state of Maine or of the United States in building the said bridge and its approaches, and in working, managing, maintaining and using the same, and may enter into any agreement with such company respecting the construction, maintenance, management and use of the said bridge and its approaches; 1888, c. 29.

And whereas the location of the said proposed bridge has been fixed at a point on the Saint John River between the town of Van Buren in the said state of Maine, and the parish of Saint Leonard in the province of New Brunswick;

And whereas at the present session of the legislature of the state of Maine held during the present year, an Act was passed incorporating the Van Buren Bridge Company with authority to construct and maintain a railway bridge across the Saint John River from the said town of Van Buren into the said parish of Saint Leonard, provided that the said bridge should not be commenced until the consent of the Congress of the United States and of the proper authorities of the Dominion of Canada for the erection of the structure shall have been obtained;

And whereas the said the Van Buren Bridge Company is by its said Act of incorporation authorized to unite with the said the Restigouche and Western Railway Company in constructing, equipping and working the said bridge;

And whereas, by an Act passed by the Congress of the United States at its last session, it was enacted that the said the Van Buren Bridge Company be, and they were thereby, authorized to construct, maintain and operate a railroad bridge and approaches thereto across the said Saint John River at a point suitable to the interests of navigation in the said town of Van Buren in the state of Maine, to a point on the opposite side of the said river in the said parish of Saint Leonard in the province of New Brunswick, and it was also thereby provided that the construction of the said bridge should not be commenced until the consent of the proper authorities of the Dominion of Canada for the erection of the structure shall have been obtained;

And whereas the Restigouche and Western Railway Company has by its petition prayed that an Act may be passed vesting in the said the Van Buren Bridge Company all its charter rights for the construction, equipment and operation of the said bridge, and that the time for the construction thereof may be extended as hereinafter provided, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Powers for
construction,
maintenance,
and oper-
ation of a
bridge
across the
Saint John
River.

1. Subject to the provisions of *The Railway Act*, the Van Buren Bridge Company, a corporation duly incorporated by the legislature of the state of Maine, one of the United States of America, and hereinafter called “the Company”, may, instead of the Restigouche and

Western Railway Company, which was authorized so to do by chapter 78 of the statutes of 1900, construct and maintain a bridge, with all necessary approaches, piers, abutments and appurtenances, and use and operate the same, across the Saint John River from the parish of Saint Leonard in the county of Madawaska in the province of New Brunswick, to the town of Van Buren in the county of Aroostook in the state of Maine; and may lay and equip tracks on the said bridge for the passing of locomotive engines, cars and railroad trains, with all the necessary approaches, tracks, sidings, equipment, machinery and appliances required to enable the said the Van Buren Bridge Company to use and operate the said bridge; and may own, lease and operate such bridge and such engines, cars and trains; and may, subject as aforesaid, purchase, or acquire by expropriation such real estate, including land for sidings, approaches, abutments, and other like accommodations required for the convenient working of the traffic to, from and over the said bridge, as may be necessary therefor.

1900, c. 78.
Real estate.
R.S., c. 37.

2. The Company shall not construct or operate any of the works mentioned in section 1 of this Act along any highway, street or other public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

Consent of municipalities.

3. The Company shall establish and maintain an office at the village of Saint Leonard, in the county of Madawaska, in the province of New Brunswick, which office shall for all purposes of law be the domicile of the Company in Canada.

Canadian domicile of Company.

4. A duplicate or certified copy of the charter of the Van Buren Bridge Company, granted under the laws of the state of Maine, of all amendments made thereto up to the date of the coming into force of this Act, and of any Act respecting the said company passed by the Congress of the United States, and of the document evidencing the succession in interest of the Van Buren Bridge Company, shall be filed in the office of the Secretary of State of Canada upon the coming into force of this Act, and notice of such filing shall then be given by the Van Buren Bridge Company in *The Canada Gazette*; and all amendments of the said charter made subsequent to the coming into force of this Act shall be so filed forthwith and notice of such filing be given in the same manner.

Certified documents to be filed.

Application
of R.S., c. 37. **5.** *The Railway Act* shall apply to the Company and to
its undertaking.

Limitation
of time for
construction. **6.** If the undertaking of the Company is not commenced
within two years after the passing of this Act, or is not
completed within five years after the passing of this Act,
the powers of construction conferred upon the Company
by this Act shall cease and be null and void as respects
so much of the said undertaking as then remains uncom-
pleted.

Commence-
ment of Act. **7.** This Act shall come into force on a day to be named
by proclamation of the Governor in Council.

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3-4 GEORGE V.

CHAP. 204.

An Act respecting the Western Canada Accident and Guarantee Insurance Company.

[Assented to 6th June, 1913.]

WHEREAS the Western Canada Accident and Guarantee Insurance Company has by its petition represented that it is incorporated by chapter 77 of the statutes of Manitoba of 1908, and amendments thereto, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
Manitoba
1908, c. 77;
1909, c. 105;
1911, c. 110;
1912, c. 140.

1. The shareholders of the company mentioned in the preamble, hereinafter called "the Manitoba Company," together with such persons as become shareholders in the company incorporated by this Act, are hereby incorporated under the name of "The Western Canada Accident and Guarantee Insurance Company," hereinafter called "the Company."

Incorporation.
Corporate name.

2. The capital stock of the Company shall be one million dollars.

Capital stock.

3. The head office of the Company shall be in the city of Winnipeg, in the province of Manitoba.

Head office.

4. Each shareholder of the Manitoba Company is hereby declared to be the holder of as many shares in the Company as the shares he holds in the Manitoba Company at the time this Act takes effect, with the same percentage paid

Shares in new company.

on each such share in the Company as shall then have been paid in upon each share held by him in the Manitoba Company.

Liability for calls on shares of Manitoba Company.

5. Nothing in this Act shall be so construed as to affect the liability of the shareholders of the Manitoba Company who have not paid the calls already made upon the shares of the Manitoba Company to pay the said calls.

Liability to creditors, etc., of Manitoba Company.

6. Nothing in this Act shall be so construed as to lessen the liability of the shareholders of the Manitoba Company to the present creditors or to the present policy holders of the Manitoba Company.

Business authorized.

7. The Company may carry on the following classes of insurance business as defined by section 2 of *The Insurance Act, 1910*, namely, guarantee insurance, accident insurance, sickness insurance, automobile insurance and burglary insurance.

Commencement of business.

8. The Company shall not commence the business of guarantee insurance until at least two hundred thousand dollars of its capital stock have been *bonâ fide* subscribed and at least seventy-five thousand dollars have been paid thereon.

Guarantee insurance.

Accident and sickness insurance.

2. The Company shall not commence the business of accident insurance and sickness insurance, in addition to guarantee insurance, until at least two hundred and ninety thousand dollars of its capital stock have been *bonâ fide* subscribed and at least one hundred and thirty-five thousand dollars have been paid thereon.

Automobile insurance.

3. The Company shall not commence the business of automobile insurance in addition to guarantee insurance, accident insurance and sickness insurance, until at least three hundred and twenty thousand dollars of its capital stock have been *bonâ fide* subscribed and at least one hundred and fifty thousand dollars have been paid thereon.

Burglary insurance.

4. The Company shall not transact the business of burglary insurance, in addition to the above classes of business, until at least three hundred and sixty thousand dollars of its capital stock have been *bonâ fide* subscribed and at least one hundred and seventy-five thousand dollars have been paid thereon.

Application of Insurance Act, 1910, c. 32.

9. Except as otherwise provided by this Act, the Company shall have all the powers, privileges and immunities and shall be subject to all the liabilities and provisions in *The Insurance Act, 1910*, so far as they may be applicable to the Company.

10. The Company may acquire all assets, rights, credits, effects and property, real, personal, or mixed, of whatever kind and wheresoever situated, belonging to the Manitoba Company, or to which it is or may be, or may become entitled, subject, however, to existing mortgages or liens, if any; and in such case the Company shall be liable for and subject to, and shall pay, discharge, carry out and perform all debts, liabilities, obligations and contracts of the Manitoba Company; and such debts, liabilities, obligations and contracts of the Manitoba Company shall be a first charge on the said assets, rights, credits, effects and property belonging to the Manitoba Company and acquired by the Company; and any person having any claim, demand, right, cause of action, or complaint against the Manitoba Company, or to whom the Manitoba Company is under any obligation, liability or contract, shall have the same rights and powers with respect thereto and to the collection and enforcement thereof, from and against the Company and its shareholders, as such person has against the Manitoba Company and its shareholders: Provided, however, that the shareholders of the Company shall not be individually liable, under section 163 of *The Insurance Act, 1910*, with respect to their shares in the Company, to such person, unless such person abandons his right in respect of the shares in the Manitoba Company.

Power to acquire assets, etc., of Manitoba Company.

Liability in such case for Manitoba Company's obligations.

Individual liability of shareholders.

1910, c. 32, s. 163.

11. A license shall not be issued to the Company, nor shall any license issued be renewed, unless and until the Superintendent of Insurance has been satisfied by such evidence as he may require that the Manitoba Company is ceasing to do business, nor unless and until such undertaking as he may require has been given that the Manitoba Company will entirely cease to do business within such reasonable time as he may fix.

Restriction as to issue of license.

12. This Act shall not take effect until it has been accepted and approved by a vote of the shareholders of the Manitoba Company, present or represented by proxy, at a general meeting of the Manitoba Company duly called for considering the said Act and representing two-thirds in value of the paid-up stock of the Manitoba Company; and if so accepted and approved this Act shall come into force upon a subsequent day to be fixed for that purpose by resolution passed at such meeting.

Effect of Act dependent on approval by Manitoba Company.

2. Notice of such acceptance and approval and of the day so fixed shall be published by the Company in *The Canada Gazette*.

Notice of approval.



3-4 GEORGE V.

CHAP. 205.

An Act to incorporate the Western Canada Mortgage Corporation.

[Assented to 10th April, 1913.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Lewis A. Lewis, of the city of New Westminster, Incorporation.
Lytton W. Shatford, David G. Williams, Alexander S. Munro, Walter H. Ker, Frederick T. Schooley, Lachlan N. MacKechnie, Joseph N. Ellis, all of the city of Vancouver, in the province of British Columbia, Albert G. Sargison of the city of Victoria, and Edward Michener of Red Deer, in the province of Alberta, together with such persons as become shareholders in the company, are incorporated under the name of "The Western Canada Mortgage Corporation," hereinafter called "the Company." Corporate name.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company, a majority of Provisional directors.
whom shall be a quorum for the transaction of business and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls on stock subscribed and receive payments thereon and shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed or otherwise received by them on account of the Company, and may withdraw the same for the purposes of the Company only, and may Powers.

fix the number of directors to be elected at the first meeting of the Company, and may do generally what is necessary to organize the Company.

Capital stock. 3. The capital stock of the Company shall be five million dollars divided into shares of one hundred dollars each.

Shares issued in currency. 4. Such capital stock may be issued either in sterling or currency or both as the directors determine.

Head office. 5. The head office of the Company shall be at the city of Vancouver, in the province of British Columbia, or at such other place in Canada as the directors may determine by a by-law confirmed at a special general meeting of the Company duly called for that purpose.

Notice of change. 2. Notice of any change of the head office shall be published in at least one issue of *The Canada Gazette*.

Agencies. 3. The Company may establish branch offices and agencies in Canada and elsewhere.

First general meeting. 6. So soon as one hundred thousand dollars of the capital stock have been subscribed and fifty thousand dollars thereof have been paid in cash into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Vancouver, at which meeting the shareholders present or represented by proxy who have paid not less than ten per cent of the amount of shares subscribed for by them shall elect a board of not less than seven or more than fifteen directors, a majority of whom shall be a quorum.

Election of directors. 2. No person shall be a director unless he holds in his own name and for his own use at least fifty shares of the capital stock of the Company and has paid all calls due thereon and all liabilities incurred by him to the Company.

Qualification of directors. 2. No person shall be a director unless he holds in his own name and for his own use at least fifty shares of the capital stock of the Company and has paid all calls due thereon and all liabilities incurred by him to the Company.

Number of directors may be changed. 7. The number of directors may, within the limits aforesaid, be changed by a vote of the shareholders at any general meeting of the Company.

Annual meeting. 8. A general meeting of the Company shall be called at its head office, once in each year, after the organization of the Company and at such meeting a statement of the affairs of the Company shall be submitted.

Special meetings. 2. A special, general or extraordinary meeting may at any time be called by any five directors or by a requisition of any twenty-five shareholders specifying in the notice thereof the object of such meeting.

3. Notice of each meeting of the Company shall be given by printed or written notice to each of the shareholders, mailed by registered post at least fourteen days before the day for which such meeting is called, and addressed to the addresses of the shareholders respectively as given in the books of the Company. Notice of meeting.

9. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice shall be given on any call and any notice of a call may be effectually given by sending the notice by registered letter postpaid to the address of the shareholders as given in the books of the Company. Callis. Notice

10. The Company shall not borrow or lend money or otherwise carry on business until it has obtained from the Minister of Finance a certificate permitting it to do so, and no application for such certificate shall be made and no certificate shall be given until the board of directors has been elected as required by this Act, nor until it has been shown to the satisfaction of the Minister of Finance that at least five hundred thousand dollars of its capital stock has been *bona fide* subscribed and at least one hundred thousand dollars thereof have been paid in cash into the funds of the Company and deposited in some chartered bank in Canada, to be appropriated only for the purposes of the Company under this Act. No such certificate shall be given unless application therefor is made within two years after the passing of this Act, or within such extended period as the Governor in Council, before the expiration of such two years, allows: Provided that should such certificate not be duly made within the time limited, or should such certificate be refused, this Act shall thereupon cease to be in force except for the purpose of winding up the affairs of the Company and returning to the subscribers the amounts paid upon the subscribed stock or so much thereof as they are entitled to. Borrowing and lending. Certificate required. Proviso.

11. The Company may lend money on the security of, or purchase or invest in:— Business

(a) Mortgages or hypothecs upon freehold or leasehold real estate, or other immovables; Mortgages of real estate.

(b) The debentures, bonds, fully paid up stocks and other securities of any government or any municipal corporation or school corporation, or of any chartered bank Stocks and securities.

in Canada (to the extent of not more than twenty per cent of the paid up capital stock of any such bank); provided that the Company shall not lend upon the security of, or purchase or invest in bills of exchange or promissory notes;

Freehold
real estate.

(c) Freehold real estate, subject to an agreement for sale, upon which not more than sixty per cent of the purchase price remains to be paid under the said agreement for sale.

Personal
security.

2. The Company may take personal security as collateral for any advance made, or to be made, or contracted to be made by, or for any debt due to the Company.

Limitation.

3. The Company shall not invest in, nor lend money upon the security of the stock of any other loan company.

Agency
association.

12. The Company may act as an agency association for the interest and on behalf of others who entrust it with money for that purpose, and may, either in the name of the Company or of such others, lend and advance money to any person or municipal or other authority, or any board or body of trustees or commissioners, upon such securities as are mentioned in section 11 of this Act, and may purchase and acquire any securities on which it is authorized to advance money, and resell the same.

Loans,
advances, etc.

Enforcement
of conditions.

13. The conditions and terms of such loans and advances and of such purchases and resales may be enforced by the Company for its benefit, and for the benefit of the person for whom such money has been lent and advanced, or such purchase and resale made; and the Company shall have the same power in respect of such loans, advances, purchases and sales as are conferred upon it in respect of loans, advances, purchases and sales made from its own capital.

Guarantee of
repayment.

14. The Company may also guarantee the repayment of the principal, or the payment of the interest, or both, of any moneys entrusted to the Company for investment.

Employment
of capital.

15. The Company may, for any of the foregoing purposes, lay out and employ the capital and property, for the time being, of the Company, or any part of the moneys authorized to be raised by the Company in addition to its capital for the time being or any moneys so entrusted to it as aforesaid, and may do, assent to and exercise all acts whatsoever, which, in the opinion of the directors of the Company for the time being, are requisite or expedient to be done in regard thereto.

Moneys
deemed
borrowed.

16. All moneys of which the repayment of the principal or payment of interest is guaranteed by the Company, shall,

shall, for the purposes of this Act, be deemed to be money borrowed by the Company.

17. The Company may liquidate, and carry on for the purposes of such liquidation, the business of any other company carrying on any business which the Company is authorized to carry on, upon such terms as may be agreed upon. Liquidation of other companies.

18. The Company may borrow money, and receive money on deposit, upon such terms as to interest, security, time of repayment and otherwise as may be agreed on, and may issue bonds, debentures and other securities for moneys borrowed; provided always that the total of the Company's liabilities to the public outstanding from time to time shall not exceed four times the aggregate amount of the then actually paid-up and unimpaired capital stock; provided also that the amount held on deposit shall not at any time exceed the aggregate amount of its then actually paid-up and unimpaired capital, and of its cash actually in hand or deposited in any chartered bank in Canada or elsewhere, and belonging to the Company. Borrowing powers. Limitations.

19. The Company shall not loan or advance money on security of its own stock. Limitation.

20. The Company may purchase, acquire and undertake the whole or any part of the business, assets, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situated, belonging to any other company within the legislative power of the Parliament of Canada, and the liabilities and the name and goodwill of such other company, provided such other company carries on any business which the Company is authorized to carry on; and may pay therefor in cash or in stock either fully paid-up or partly paid-up, or partly in cash and partly in stock, either fully paid-up or partly paid-up or in any other manner; and the Company may enter into agreements for such purchase and sale and do all other acts necessary or convenient for the purposes of such purchase and sale: Provided always that specified assets may be excepted from any such purchase and sale: Provided further that no such agreement shall become operative and effective until it has been submitted to and approved by the Treasury Board. Power to acquire other companies. Payment. Proviso. Approval of Treasury Board.

2. The liabilities of any company which are assumed by the Company shall form part of the total liabilities of the Company to the public for the purposes of section 18 of this Act. Liability to the public.

Issue of debenture stock in lieu of debenture stock of other companies.

21. In case any company, whose assets are acquired by the Company, has issued debenture stock, and such debenture stock is outstanding at the date of the acquisition aforesaid, the directors of the Company may, if and when they think fit, and either with or without the sanction of the shareholders, issue debenture stock to the extent of the nominal value of the debenture stock of such other company outstanding, as aforesaid, and may, with the consent of any holder of debenture stock in such other company, give to him, in lieu of the debenture stock held by him, debenture stock of the Company on such terms as may be agreed upon.

Payment of unpaid stock.

22. In the case of any partly paid-up stock issued by the Company under section 20 of this Act, as the consideration in whole or in part of the purchase by the Company of the assets of any other company, the balance of such stock remaining unpaid may be made payable at such times as are agreed upon.

Decrease of capital.

23. The directors may, by by-law, provide for the decrease of the capital stock of the Company to any amount not less than five hundred thousand dollars which they consider sufficient.

Contents of by-law.

2. Such by-law shall declare the number of the shares of the stock so decreased and the allotment thereof, or the rules by which the same is to be made.

Rights of creditors preserved.

3. The liability of shareholders to persons who are, at the time the stock is decreased, creditors of the Company shall remain as though the stock had not been decreased.

Requisites for validity of by-law.

24. No by-law for decreasing the capital stock of the Company shall have any force or effect unless and until it has been sanctioned by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering such by-law, such shareholders holding not less than two-thirds of the amount paid upon the capital stock of the Company represented at such meeting, and provided that such by-law has afterwards been confirmed by a certificate of the Minister of Finance given under the authority of the Treasury Board.

Certificate of Minister of Finance.

Requisites for such certificate.

25. Upon the application to the Minister of Finance for a certificate confirming such a by-law, the Company shall satisfy him of the *bona fide* character of the decrease of capital thereby provided for; and, unless it appears that the granting of such certificate would not be in the public interest, the Minister, with the approval of the Treasury Board, may grant the same: Provided that with

Proviso.

the consent of the directors, the amount of such decrease of capital may, by the said certificate, be changed, and the decrease made subject to such conditions as the Treasury Board may think proper.

26. The directors of the Company may, with the consent of the shareholders at a special general meeting duly called for the purpose, create and issue debenture stock in sterling or currency, in such amounts and manner, on such terms and bearing such rate of interest as the directors from time to time think proper; but such debenture stock shall be treated and considered as part of the ordinary debenture debt of the Company, and shall be included in estimating the Company's liabilities to the public under section 18 of this Act; and such debenture stock shall rank equally with the ordinary debenture and deposit debt of the Company, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by depositors or holders of ordinary debentures of the Company.

Debenture stock.

To be included in estimates of liabilities to public.

Rank.

27. The debenture stock aforesaid shall be entered by the Company in a register to be kept for that purpose in the head office of the Company in Canada, wherein shall be set forth the names and addresses of those from time to time entitled thereto, with the respective amounts of the said stock to which they are respectively entitled; and the register shall be accessible for inspection and perusal at all reasonable times to every debenture holder, mortgagee, bond holder, debenture stock holder and shareholder of the Company, or depositor, without the payment of any fee or charge. Such stock shall be transferable in such amounts and in such manner as the directors may determine.

Register of debenture stock.

Contents.

Transfer.

28. The holders of the ordinary debentures of the Company may, with the consent of the directors, at any time exchange such debentures for debenture stock.

Exchange of debentures.

29. The Company, having issued debenture stock, may from time to time, as it thinks fit and for the interest of the Company, buy up and cancel the debenture stock or any portion thereof.

Cancellation of debenture stock.

30. The directors of the Company may make a by-law for creating and issuing any part of the capital stock as preference stock, giving the same such preference and priority

Preference stock.

Priority.

ity as respects dividends and otherwise over ordinary stock as may be declared by the by-law.

Contents of
by-law.

2. The by-law may provide that the holders of shares of such preference stock shall have the right to select a certain stated proportion of the board of directors, or may give the said holders such control over the affairs of the Company as may be considered expedient.

Preference
stock by-laws
invalid until
sanctioned.

3. No such by-law shall have any force or effect until it has been sanctioned, either unanimously by the shareholders in writing or by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering it, such vote being that of shareholders holding not less than two-thirds of the subscribed capital stock of the Company.

Holders of
preference
stock to be
shareholders.

4. Holders of shares of such preference stock shall be shareholders within the meaning of *The Companies Act*, and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of *The Companies Act*: Provided however that in respect of dividends and otherwise they shall, as against the ordinary shareholders, be entitled to the preferences and rights given by such by-law.

Provido.

Rights
saved.

5. Nothing in this section contained, or done in pursuance thereof, shall affect or impair the rights of creditors of the Company.

Company not
bound to see
to execution
of trusts.

31. The Company shall not be bound to see to the execution of any trust, whether express, implied or constructive, to which any share of its stock, or debentures or debenture stock, or any deposit or any other moneys payable by or in the hands of the Company may be subject, and the receipt of the parties in whose name such shares, debentures, debenture stock, deposit or moneys stand in the books of the Company shall be sufficient discharge to the Company for any payment of any kind in respect of such shares, debentures, debenture stock, deposits or moneys, notwithstanding any trust to which they may then be subject and whether or not the Company has had notice of such trust, and the Company shall not be bound to see to the application of the money paid upon such receipt.

Reserve
fund.

32. The directors may set aside out of the profits of the Company such sum as they think proper as a reserve fund to meet contingencies or for equalizing dividends, or for repairing, improving and maintaining any of the property of the Company, and for such other purposes as the directors may in their discretion think conducive to the interests of the Company, and may invest the several sums so set

aside upon such investments, (other than shares of the Company), as they may think fit, and may deal with and vary such investments and dispose of all or any part thereof for the benefit of the Company, and may divide the reserve fund into such special funds as they think fit, with full power to employ the assets constituting the reserve fund in the business of the Company, and that without being bound to keep the same separate from the other assets: Provided always that the investment of the reserve fund shall be subject to the limitations contained in section 11 of this Act.

Investment.

Proviso.

33. The Company may, in general meeting of its shareholders duly called for the purpose, pass a by-law authorizing its directors to extend the business of the Company outside of Canada, and the directors may give effect to such by-law.

Extension of business outside of Canada.

2. If, as provided in the next preceding subsection, the Company carries on business outside of Canada the Company may, in general meeting of the shareholders duly called for the purpose, pass a by-law authorizing the directors to invest the money of the Company in the acquisition of property for the erection or purchase of buildings required for the occupation of the Company in any place where the Company is so carrying on business.

Property and buildings for agencies abroad.

34. The Company may have agencies in any places in Great Britain, or elsewhere, for the registration and transfer of debenture or other stock and for the transaction of any other business of the Company.

Transfer of debenture stock.

35. The directors may, from time to time, make by-laws not contrary to law or contrary to this Act, for:—

By-laws.

(a) the regulating of the allotment of stock, the making of calls thereon, the payment thereof, the issue and registration of certificates of stock, the forfeiture of stock for non-payment, the disposal of forfeited stock, and of the proceeds thereof, and the transfer of stock;

Debentures and stock.

(b) the declaration and payment of dividends;

Dividends.

(c) the number of the directors, their term of service, the amount of their stock qualification, and their remuneration, if any;

Directors.

(d) the appointment, functions, duties and removal of all agents, officers and servants of the Company, the security to be given by them to the Company and their remuneration;

Officers.

(e) the time and place for the holding of the annual meeting of the Company, the calling of meetings, regular and special, of the board of directors and of the Company, the quorum at meetings of the directors and of the Company,

Meetings.

the requirements as to proxies, and the procedure in all things at such meetings;

Penalties. (f) the imposition and recovery of all penalties and forfeitures admitting of regulation by by-law; and

General. (g) the conduct in all other particulars, of the affairs of the Company.

Transmission
of interest in
shares
otherwise
than by
transfer.

36. If the interest of any person in any share in the capital stock, or debenture stock, or in any bond, debenture or obligation of the Company (such bond, debenture or obligation not being payable to bearer), or in any deposit or any other money in the hands of the Company, is transmitted in consequence of the death, or bankruptcy, or insolvency of such holder, or by any other lawful means other than a transfer upon the books of the Company, the directors shall not be bound to allow any transfer pursuant to such transmission to be entered upon the books of the Company, or to recognize such transmission in any manner until a declaration in writing, showing the nature of such transmission, and signed and executed by the person claiming by virtue of such transmission, and also executed by the former shareholder, if living, and having power to execute the same, shall have been filed with the manager or secretary of the Company and approved by the directors, and if the declaration purporting to be signed and executed also purports to be made or acknowledged in the presence of a notary public, or of a judge of a court of record, or of a mayor of any city, town or borough, or other place, or a British Consul, or vice-consul or other accredited representative of the British Government in any foreign country, the directors may, in the absence of direct actual notice of a contrary claim give full credit to the declaration and (unless the directors are not satisfied with the responsibility of the transferee) shall allow the name of the party claiming by virtue of the transmission to be entered in the books of the Company.

Requirements
in case of
transmission
by will or
intestacy.

37. If the transmission takes place by virtue of any testamentary act or instrument, or in consequence of an intestacy, the probate of the will or letters of administration or testamentary documents, or other judicial or official instrument under which the title (whether beneficial or as trustee) or the administration or control of the personal estate of the deceased is claimed to vest shall purport to be granted by any court or authority in Canada, or in Great Britain or Ireland, or any other of His Majesty's dominions, or in any foreign country, or an authenticated copy thereof or official extract therefrom shall, together with the declaration

tion mentioned in section 36 of this Act, be produced and deposited with the manager, secretary, treasurer or other officer named by the directors for the purpose of receiving it, and such production and deposit shall be sufficient justification and authority to the directors for paying the amount or value of any dividend, coupon, bond, debenture or obligation or share, or any deposit or any other moneys payable by or in the hands of the Company, or transferring or consenting to the transfer of any bond, debenture, obligation or share, or any deposit or any other moneys payable by or in the hands of the Company, in pursuance of, and in conformity to, such probate, letters of administration or such other document as aforesaid.

38. Whenever the directors entertain reasonable doubts as to the legality of any claim to or upon such shares, bonds, debentures, obligations, dividends or coupons, or the proceeds thereof, or any deposit or any other moneys payable by or in the hands of the Company, then and in such case the directors may file in any court of competent jurisdiction in the province in which the head office of the Company is situated a petition stating such doubts, and praying for an order or judgment adjudicating and awarding the said shares, bonds, debentures, obligations, dividends, coupons, or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company to the parties legally entitled thereto, and such court shall have authority to restrain any action, suit or proceedings against the Company, and the directors, and officers thereof for the same subject matter, pending the determination of the petition; and the Company and the directors and officers thereof shall be fully protected and indemnified by obedience to such order or judgment against all actions, suits, claims and demands in respect of the matters which have been in question in such petition, and the proceedings thereupon: Provided that if the court adjudges that such doubts were reasonable, the costs, charges and expenses of the Company, in and about such petition and proceedings, shall form a lien upon such shares, bonds, debentures, obligations, dividends, coupons or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company, and shall be paid to the Company before the directors shall be obliged to transfer, or assent to the transfer of or to pay such shares, bonds, debentures, obligations, dividends, coupons or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company to the parties found entitled thereto.

Directors
may apply
to court in
cases of
doubt.

Term for
which land
may be held.

39. No parcel of land, or interest therein, at any time acquired by the Company and not required for its actual use and occupation, or not held by way of security, shall be held by the Company, or by any trustee on its behalf, for a longer period than ten years after the acquisition thereof, but shall be absolutely sold and disposed of, so that the Company shall no longer retain any interest therein unless by way of security; and any such parcel of land or any interest therein not within the exceptions hereinbefore mentioned, which has been held by the Company for a longer period than ten years without being disposed of shall be forfeited to the Crown; provided that the Governor in Council may extend the said period from time to time, not exceeding in the whole twelve years; provided, further, that no such forfeiture shall take effect or be enforced until the expiration of at least six months after notice in writing to the Company of the intention of the Crown to claim such forfeiture, and it shall be the duty of the Company to give the Minister of Finance, when required, a full and correct statement of all lands at the date of such statement held by the Company, or in trust for the Company, and subject to these provisions.

Forfeiture.

Extension of
term.

Notice of
enforcing
forfeiture.

Annual
statement.

40. The Company shall transmit, on or before the first day of March in each year, to the Minister of Finance, a statement in duplicate, to the thirty-first day of December inclusive of the previous year, verified by the oaths of the president or vice-president and the manager or secretary, setting out the capital stock of the Company and the proportion thereof paid up, the assets and liabilities of the Company and amount and nature of the investments made by the Company, both on its own behalf and on behalf of others, and the average rate of interest derived therefrom, distinguishing the classes of securities, and also the extent and value of the lands held by it, and such other details as to the nature and extent of the business of the Company as the Minister of Finance requires, and in such form and with such details as he, from time to time, requires and prescribes; but the Company shall, in no case, be bound to disclose the name or private affairs of any person who has dealings with it.

Penalty for
default.

2. If the Company for the space of one month neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company

who knowingly and wilfully authorizes or consents to such default shall incur the like penalty.

41. Sections 125, 126, 135, 141, 161, 165 and 167 of R.S., c. 79. Part II of *The Companies Act* shall not apply to the Company.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 206.

An Act respecting the Western Trust Company.

[Assented to 6th June, 1913.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1906, c. 180.

1. Notwithstanding anything contained in Part II. of *The Companies Act*, the directors of the Western Trust Company may from time to time make by-laws creating and issuing any part or parts of the capital stock of the company as preference stock, which preference stock may be preferred in any respect and deferred in any other respect; and, without limiting the generality of the foregoing, such preference stock may be either preferred or deferred in matters of the division of profits, payment of dividends and bonuses, election of directors, voting at meetings, rank as regards capital, and in winding-up proceedings, and in such other matters and respects as may be deemed advisable and as any such by-law may provide, and the provisions of section 135 of *The Companies Act* shall apply to every such by-law.

Power to issue preference stock.
R.S., c. 79,
ss. 134, 135.
Consent of share-holders.

2. The Company may acquire the whole or any part of the business, rights and property of any other companies within the legislative power of the Parliament of Canada, or of any of the provinces thereof, carrying on any business which the Company is authorized to carry on, conditional upon the assumption by the Company of such duties, obligations

Acquisition of business, etc., of other companies.

gations and liabilities of every such company with respect to the business, rights and property so acquired as are not performed or discharged by such company: Provided that no such agreement shall take effect until it has been submitted to and approved by the Treasury Board.

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to the King's most Excellent Majesty.



3-4 GEORGE V.

CHAP. 207.

An Act to incorporate the Wetaskiwin, Yellowhead and Revelstoke Railway Company.

[Assented to 7th March, 1913.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient to
grant the prayer of the said petition: Therefore His Majesty,
by and with the advice and consent of the Senate and House
of Commons of Canada, enacts as follows:—

1. George Benjamin Campbell, agent, John Peter Gross, Incorporation.
real estate agent, Anthony S. Rosenroll, mine owner, Olaf
Herman Anderson, mine owner, Duncan MacEachern,
millner, Harris Oium, manufacturer, and William James
Loggie, barrister-at-law, all of the city of Wetaskiwin, in the
province of Alberta, together with such persons as become
shareholders in the company, are hereby incorporated under
the name of "The Wetaskiwin, Yellowhead and Revelstoke Corporate
Railway Company," hereinafter called "the Company." name.

2. The persons named in section 1 of this Act are con- Provisional
stituted provisional directors of the Company. directors.

3. The capital stock of the Company shall be four million Capital
dollars. No one call thereon shall exceed ten per cent on stock.
the shares subscribed.

4. The Company, if previously authorized by a resolu- Issue of
tion passed by the ordinary shareholders at any annual meet- preference
ing or at any special general meeting duly called for that stock.
purpose, at which meeting shareholders representing at
least three-fourths in value of the subscribed ordinary
495 stock

Priority.

Status of
holders.

Head office.

Annual
meeting.

Directors.

Line of
railway
described.Consent of
municipali-
ties.

stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock, and preference stock so issued shall have such preference and priority, as respects dividends and otherwise, over ordinary stock as is declared by such resolution.

2. Holders of such preference stock shall be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference and priority provided for by this section, possess the rights and be subject to the liabilities of such shareholders.

5. The head office of the Company shall be at the city of Wetaskiwin, in the province of Alberta.

6. The annual meeting of the shareholders shall be held on the second Tuesday in September.

7. The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

8. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from a point in the province of Alberta, at the town of Lloydminster; thence in a westerly and southwesterly direction crossing the Grand Trunk Pacific Railway at Viking; thence continuing in a westerly and southwesterly direction crossing the Canadian Pacific Railway between the towns of Ohaton and Bawlf; thence in a westerly and southwesterly direction to the city of Wetaskiwin; thence in a westerly direction to the Saskatchewan river; thence westerly following the valley of the Brazeau river, or such other valley as may be found practicable, to or near the head waters of the Brazeau river; thence in a northwesterly direction down the Rocky River valley, or such other route as may be found feasible, to the Yellowhead Pass or such other pass as may be found practicable; thence in a westerly and southwesterly direction to the head waters of the Canoe river in the province of British Columbia; thence down the valley of the Canoe river, or such other valley as may be found practicable, to the junction of the Canoe river with the Columbia river; thence down the Columbia river valley to the city of Revelstoke, in the province of British Columbia.

9. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street

or other public place, and upon the terms to be agreed upon with such municipality.

10. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway and establish offices for and undertake the transmission of messages for the public and collect tolls therefor, and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of *The Railway Act*, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the line of, or may lease its own lines to, any such companies. Telegraphs and telephones.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraph or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges. Tolls and charges.

3. Part II of *The Telegraphs Act*, except such portions thereof as are inconsistent with *The Railway Act*, or with this Act, shall apply to the telegraphic business of the Company. R.S., c. 126.

11. The securities issued by the Company on that part of its railway which is not in the province of British Columbia shall not exceed thirty-five thousand dollars per mile of the railway, and on that part of the railway which is in the province of British Columbia shall not exceed fifty thousand dollars per mile of the railway; and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed. Issue of securities for railway.

12. The Company may, subject to the provisions of *The Railway Act*, and subject also to the orders of the Board of Railway Commissioners for Canada, construct or arrange any of its railway bridges for the use of foot passengers and vehicles; and in such cases the tolls to be charged for the passage of foot passengers and vehicles shall, before being imposed, be first submitted to and approved of, and may be revised, by the said Board, but the Company may, at any time, reduce such tolls and a notice showing the tolls authorized to be charged on any such bridge shall, at all times, be posted up in a conspicuous place on the bridge. Railway bridges used for general traffic.
Tolls and charges.
Notices.

13. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in said section 361, enter into agreements with the Grand Trunk Pacific Railway Company, the Can- Agreements with other companies.
R.S., c. 37.

adian Pacific Railway Company, the Canadian Northern Railway Company, the Calgary and Edmonton Railway Company and the Alberta Central Railway Company, or any of them.

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3-4 GEORGE V.

CHAP. 208.

An Act to enable the City of Winnipeg to get Water outside the Province of Manitoba.

[Assented to 6th June, 1913.]

WHEREAS it has become necessary for the city of Preamble.
Winnipeg to obtain water for the use of the municipal corporation of the said city and of the inhabitants of the said city from sources outside the limits of the province of Manitoba; and whereas it is necessary for the said city to obtain from the Parliament of Canada certain powers to enable it to carry into effect the public purposes above mentioned; and whereas a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

- 1.** For the purpose of conveying, from sources outside of the province of Manitoba to the city of Winnipeg, water for the use of the municipal corporation of the said city, hereinafter called “the Corporation,” and of the inhabitants of the said city, the Corporation may lay, build, construct, equip and maintain a line of conduit or pipe from the city of Winnipeg, extending out of the province of Manitoba and into any other province; and for the effectual use and operation of the said conduit or pipe may—
- (a) at any place or places in connection with or adjacent to the same, erect, maintain and conduct waterways and all buildings, machinery and appliances necessary thereto; Power to get water outside Manitoba.
 - (b) erect and operate lines for the transmission to the said works of electric motive force or other means of propulsion for the operation thereof; Transmission works.
- Waterways and plant.
Power transmission lines.

Acquisition
and
conveyance
of water.

and the Corporation may, by the works by this Act authorized, take and convey water from such sources to the said city and places adjacent thereto.

Auxiliary
powers.

2. For the purposes of the said works, and subject to the provisions in this Act contained, the Corporation may—

Entry on
lands.

(a) enter into and upon any Crown lands without previous license therefor, or into and upon the lands of any person whomsoever, lying in the intended route or line of the works, in order to make surveys, examinations or other necessary arrangements on such lands for fixing the site of the works, and set out and ascertain such lands as are necessary and proper for the works, including lands surrounding, or necessary for the protection or prevention of pollution of, any waters to be made use of for the purposes of the Corporation;

Purchase of
lands.

(b) purchase, take and hold, of and from any person, any lands or other property necessary for the construction, maintenance and operation of the said works;

Occupation
of lands.

(c) make, carry or place the works across or upon the lands of any person on the located line of the works;

Roads,
buildings, etc

(d) construct, erect and maintain all necessary and convenient roads, buildings, depots, wharfs and other structures;

Bridges,
tunnels, etc.

(e) make or construct, in, upon, across, under or over any railway, tramway, river, stream, watercourse, canal or highway, which the said works intersect or touch, temporary or permanent inclined planes, tunnels, embankments, aqueducts, bridges, roads, ways, passages, conduits, drains, piers, arches, cuttings, and fences;

Diversion
of streams
and high-
ways.

(f) divert or alter, as well temporarily as permanently, the course of any such river, stream, watercourse, or highway, or raise or sink the level thereof, in order the more conveniently to carry the same over, under or by the side of the works;

Drainage.

(g) make drains or conduits into, through or under any lands adjoining the works, for the purpose of conveying water from or to the works;

Diversion of
pipes, drains
and wires.

(h) divert or alter the position of any water-pipe, gas-pipe, sewer, or drain, or any telegraph, telephone or electric lines, wires or poles;

Telegraphs,
etc.

(i) construct, acquire and use telegraph, telephone or electric lines and plant;

Alteration
of works.

(j) from time to time alter, repair or discontinue the works by this Act authorized or any of them, and substitute others in their stead;

- (k) do all other acts necessary for the construction, maintenance and operation of the works. Other necessary acts.

3. The Corporation shall prepare and submit to the Minister of Public Works, in duplicate, with an application for his approval thereof, a map or maps, prepared upon a scale of not less than six miles to the inch, or upon such other appropriate scale as the Minister may determine, and showing the general location of the proposed conduit and works and of any extensions or alterations thereof from time to time, the railways and navigable streams, if any, to be crossed thereby, and shall give such further or other information as the Minister may require. Submission of map.
Contents.

2. Before approving such map or maps and location the Minister may make such changes and alterations therein as he may deem expedient, and upon being satisfied therewith shall signify his approval upon the map or maps and the duplicate or duplicates thereof. The map or maps when so approved shall be filed with the Department of Public Works and each duplicate returned to the Corporation. Approval.
Filing.

3. The Minister in approving any such map or maps and location may approve the whole or any portion thereof, and when he approves only a portion thereof he shall signify his approval upon the map or maps and the duplicate or duplicates thereof accordingly. Approval of whole or portion.

4. Upon compliance with the provisions of the last preceding section the Corporation shall in each case make a plan, profile and book of reference of the work. Plan and book of reference.

2. The plan shall show— Plan.

- (a) the right of way;
- (b) the property lines and owners' names;
- (c) the areas, and lengths, and widths of lands proposed to be taken, in figures;
- (d) the bearings, and
- (e) all open drains, water courses, highways and railways proposed to be crossed or affected.

3. The profile shall show the grades, curves, highway and railway crossings, open drains and water courses. Profile.

4. The book of reference shall describe the portion of land proposed to be taken in each lot to be traversed, giving numbers of the lots, and the area, length and width of the portion of each lot proposed to be taken, and names of owners and occupiers so far as they can be ascertained. Book of reference.

5. The Minister may require any additional information for the proper understanding of the plan and profile. Additional information.

6. The plan, profile and book of reference may be of a section or sections of the proposed conduit and works. Plan, etc., may be of whole or part.

Sanction and deposit of plan and book of reference.

5. Such plan, profile and book of reference shall be submitted to the Minister of Public Works, who, if satisfied therewith, may sanction the same, and thereupon such plan, profile and book of reference shall be deposited with the Department of Public Works.

Notice of application for sanction.

2. Before sanctioning such plan, profile and book of reference the Minister of Public Works shall be satisfied that public notice of the intention to apply to him for such sanction has been published for at least one month in *The Canada Gazette*, in *The Manitoba Gazette*, and in two newspapers published in the province of Manitoba, one of which newspapers is published in the French language and the other in the English language, and that duplicates of the said plan, profile and book of reference have been deposited for public inspection in the office of the mayor of the city of Winnipeg during at least one month before such application.

Deposit of plan for public inspection.

Deposit of copies with registrars of deeds.

6. The Corporation shall also deposit copies, certified by the Department of Public Works, of the plan, profile and book of reference, or of such parts thereof as relate to each district or county through which the conduit or work is to pass, in the offices of the registrars of deeds for such districts or counties respectively.

Application of R.S., c. 37.

7. This Act shall be construed as if the sections of *The Railway Act* enumerated in subsection 2 of this section, and also their interpretation according to section 2 of *The Railway Act*, but in so far only as they are applicable to the purposes of, and are not inconsistent with this Act, were enacted in this Act with the following modifications:—

Modifications.

- (a) The expressions "the Minister" and "the Board" shall each mean the Minister of Public Works;
- (b) The expression "the Secretary" shall mean "the Secretary of the Department of Public Works";
- (c) The expression "the company" or "any company" shall mean "the Corporation" in this Act referred to;
- (d) The expression "the railway" means the line of conduit or pipe by this Act authorized and includes all property, works and structures so authorized.

Sections of Railway Act which are to apply.

2. The provisions of *The Railway Act* mentioned in the foregoing subsection are those contained in sections 154, 155, 161, 162, 163, 165, 166, 167, 168, 172, 174, 175, 179, 180, 181, 183, 184, 185, 186, 187, 188, 189, and in the sections numbered consecutively throughout from 191 to 220, both inclusive, and also those contained in any amendments heretofore made to any of the said sections.

8. Nothing in this Act contained shall prevent the exercise in Manitoba by the Corporation of any powers vested in it by its Acts of incorporation. Provincial powers of corporation.

9. The Governor in Council may, by order, permit and authorize the Corporation, by the means aforesaid and for the said purposes, subject to such conditions and regulations, if any, as are set forth in such order, to take any waters over which the Parliament of Canada has control or may, for the purposes of this Act, exercise control. Governor in Council's powers as to Dominion and International water rights.

10. This Act, and any such order, shall be subject, in so far as they apply to any waters sought to be affected, to the provisions of *An Act relating to the establishment and expenses of the International Joint Commission under the Waterways Treaty of January the eleventh, nineteen hundred and nine*, and to the said Treaty. International Joint Commission on Waterways. 1911, c. 28.

11. So soon as the statute of the province of Manitoba passed in this present year of the reign of His Majesty and intituled *An Act to incorporate the Greater Winnipeg Water District* has been proclaimed to be in force, this Act shall apply and extend to the corporation thereby intended to be created and the references in this Act to the city of Winnipeg and to the municipal corporation of the city of Winnipeg shall be read as if made to the Greater Winnipeg Water District and to the Corporation of the Greater Winnipeg Water District, and the references to the inhabitants of the city of Winnipeg as if made to the inhabitants of the said district, according to the boundaries thereof as from time to time lawfully defined. Application of Act to the Greater Winnipeg Water District.

2. If the powers of expropriation conferred by the said *Act to incorporate the Greater Winnipeg Water District* are exercised in any way by the Corporation or by any authority created by that Act, then the powers of expropriation conferred by this Act shall not apply within the province of Manitoba. Exercise of expropriation powers in such case.



3-4 GEORGE V.

CHAP. 209.

An Act for the relief of Mary Arabella Young.

[Assented to 6th June, 1913.]

WHEREAS Mary Arabella Young, presently residing Preamble.
at the city of Calgary, in the province of Alberta, wife of John Jackson Young, formerly of the said city of Calgary, has by her petition alleged, in effect, that they were lawfully married on the eleventh day of August, A.D., 1887, at the town of Regina, in the then North West Territories, she then being Mary Arabella Woodward, spinster; that the legal domicile of the said John Jackson Young was then and is now in Canada; that in the year 1910 he deserted her; that at divers times and places since then, and more particularly at the city of Spokane, in the State of Washington, one of the United States of America, in the month of December, A.D., 1912, he committed adultery with one Isabel Crooks; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Mary Arabella Woodward, and John Jackson Young, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said Mary Arabella Woodward may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said John Jackson Young had not been solemnized.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer
to the King's most Excellent Majesty.

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